Safeguarding Under18s And Vulnerable Adults Policy
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**Introduction**

The vast majority of people who work with under18s/vulnerable adults are well motivated and would never harm them. Unfortunately, a few do and it is essential that the Party creates a culture that makes all those who work for and with the Party willing and comfortable to voice their concerns, particularly those about someone with whom they work or who they know personally. Where there are valid concerns, it is important that this procedure is followed and if necessary, the Party’s internal processes are also commenced at the same time.

Whilst parents and other primary caregivers have the primary responsibility for safeguarding their under18s and vulnerable adults, statutory and voluntary agencies, relatives, friends and neighbours also have responsibilities.

Everyone can help to safeguard Under18s and vulnerable adults if they are alert to their needs and are willing and able to act if they have concerns about their welfare.

**Purpose**

The purpose of this policy is to outline the duties and responsibilities of members, staff, volunteers and trustees working on behalf of the Liberal Democrats in relation to safeguarding procedures.

The key objectives of this policy are:

- To explain the responsibilities of the Liberal Democrats and its staff, volunteers and trustees have in respect of under18s and vulnerable adult protection.
- To provide staff with an overview of under18s and vulnerable adult protection.
- To provide a clear set of procedures and processes that will be implemented where under18s and vulnerable adult protection issues arise.

**Context**

All under18s and vulnerable adults have the right to protection from all forms of abuse including exploitation, neglect, physical and mental abuse regardless of their age, gender, disability, culture, language, racial origin, religious beliefs or sexual orientation.

Under18s and some adults are less able to protect themselves than others, and some have difficulty making their wishes and feelings known. This may make them vulnerable to abuse.

The priority should always be to ensure the safety and protection of under18s and vulnerable adults. To this end it is the responsibility of all staff, members, volunteers and trustees to act on any suspicion or evidence of abuse or neglect and to pass on their concerns to a responsible person/agency.

**Definitions**

For purposes of this document and ensuring consistent and widely understood terminology, the following definitions are used:

A **child** is defined as a person under the age of 18 (The Children’s Act 1989) and **young people** are defined as a person generally from 14 to 17 years of age (as defined by the Department of Health). For the purposes of this document, these groups are referred to collectively as **under 18s**.

The legal definition of a **vulnerable adult** is “an adult defined as vulnerable when they are in receipt of a ‘regulated activity’ in relation to vulnerable adults”. ‘Regulated activities’ include...
assistance with healthcare, personal care and assistance with a person’s own affairs, such as managing cash and paying bills (sections 65 and 66 of the Protection of Freedoms Act 2012).

A more generic definition is that a **vulnerable adult** can be defined as someone aged 18 or over who is, or may be, in need of community services due to age, illness or a mental or physical disability and who is, or may be, unable to take care of himself/herself, or unable to protect himself/herself against significant harm or exploitation (definition from the Department of Health 2002).

You should consider both the legal and generic definitions when considering whether you are dealing with a **vulnerable adult**, although if there is conflict the legal definition shall take priority.

For the purposes of this document the phrase, **vulnerable adult** is used to identify those eligible for interventions within the procedures.

Vulnerable adults may fall in one or more of these groups:
- Older people
- People with mental health problems
- Disabled people
- People with learning difficulties
- People with acquired brain damage
- People who misuse substances

The policy objective of these procedures, in line with Government advice, is to prevent and reduce the risk of significant harm to vulnerable adults from abuse or other types of exploitation, whilst supporting individuals in maintaining control over their lives and in making informed choices without coercion.

The Liberal Democrats believe that safeguarding is everyone’s business with communities playing a part in preventing it, detecting and reporting neglect and abuse. Measures need to be in place locally to protect those least able to protect themselves. Safeguards against poor practice, harm and abuse need to be an integral part of care and support. This should be achieved through partnerships between local organizations, communities and individuals, as recommended by the Department of Health.

The legal definition of **rape** in the UK is where a person intentionally penetrates the vagina, anus or mouth of another person with their penis, without that other person’s consent, and the first person does not reasonably believe the other person consents (section 1, Sexual Offences Act 2003). **Assault by penetration** is committed where a person intentionally penetrates the vagina, anus or mouth of another person with a body part other than their penis or any other object, without that other person’s consent, and the first person does not reasonably believe the other person consents (section 2, Sexual Offences Act 2003). For the purposes of this procedure, both rape and assault by penetration shall be referred to as **rape**.

The legal definition of **sexual assault** in the UK is when a person intentionally touches another person, the touching is sexual, the other person does not consent and the first person does not reasonably believe the other person consents (section 3, Sexual Offences Act 2003).
More information on sexual offences under UK law can be found here: 

What is Abuse?
Abuse and neglect are forms of maltreatment. It is a violation of an individual’s human and civil rights by any person or persons. The abuse may be a single act or repeated acts, financial, sexual, physical, verbal or psychological, or an act of neglect or an omission to act1.

The abuse may occur in a family or in an institutional or community setting and can be carried out by those known to them or, more rarely, by a stranger. It can occur in any relationship and it may result in significant harm to, or exploitation of, the person. In addition, for vulnerable adults, it may occur when a vulnerable person is persuaded to enter into any transaction to which he or she has not consented, or cannot consent.

The ‘Working Together to Safeguard Children’ guidance published by the Government and the ‘No Secrets’ report by The Department of Health defines abuse as follows:

Physical Abuse
This may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, misuse of medication, restraint, or inappropriate sanctions or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of or deliberately induces illness in the vulnerable adult or under18.

Emotional Abuse
This is the persistent emotional maltreatment of the vulnerable adult or under18 such as to cause severe and persistent adverse effects on the individual’s emotional wellbeing. It may involve conveying to the under18/vulnerable adult that they are worthless, unloved or inadequate. It may involve bullying, causing them to feel frightened or in danger.

Sexual Abuse
This type of abuse involves forcing or enticing a vulnerable adult or under18 to take part in sexual activities, including prostitution whether or not the vulnerable adult or under18 is aware of what is happening. Examples of physical contact include penetrative acts (rape, sexual assault, buggery or oral sex) or non-penetrative acts (kissing, fondling, masturbation). It may include non-contact activities involving under18s’ looking at or being involved in sexual online images and/or encouraging under18s to behave in sexually inappropriate ways. In relation to a vulnerable adult, it occurs when they have not or cannot consent or are pressured into consenting.

Neglect and acts of omission
This is the persistent failure to meet the under18’s or vulnerable adult’s basic physical, emotional and/or psychological needs, likely to result in the serious impairment to their health and/or development. It can include failing to provide adequate food, clothing and shelter, adequate supervision or failing to provide medical help when needed.

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1 This is a failure to prevent the harm from occurring.
**Psychological Abuse**
This is the use of emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

**Financial or material Abuse**
This type of abuse involves theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

**Discriminatory Abuse**
This type of abuse can be racist, sexist, or based on a person's disability, age, or sexuality and other forms of harassment, slurs or similar treatment.

**Legal Framework for Children**

The Children’s Act 1989 sets out the legislative framework for safeguarding and promoting the welfare of children and the Children’s Act 2004 underpins the ‘Every Child Matters, Change for Children’ programme.

**Legal framework for Vulnerable Adults**

The Mental Capacity Act 2005, covering England and Wales, provides a statutory framework for people who lack capacity to make their own decisions, or who have capacity and want to make preparations for a time when they may lack capacity in the future. It sets out who can take decisions, in which situations, and how they should go about this.

The Human Rights Act 1998 gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights (**ECHR**).

**The Public Interest Disclosure Act 1998**
The first priority should always be to ensure the safety and protection of under18s and vulnerable adults. To this end it is the responsibility of all to act on any suspicion or evidence of abuse or neglect and to pass on their concerns to a responsible person and/or agency.

The Public Interest Disclosure Act 1998 (**PIDA**) created a framework for whistle blowing across the private, public and voluntary sectors. The Act provides almost every individual in the workplace with protection from victimisation where they raise genuine concerns about malpractice in accordance with the Act’s provisions.

**The Role of Key Individual Agencies outside the Liberal Democrats**

**Children Social Services**
The Children’s Act 1989 gives Local Authority Social Services the primary responsibility for the care and protection of abused children and children at risk of abuse. It is their statutory duty to ensure that there is an investigation in cases of suspected abuse or significant harm.
All local authorities have a Safeguarding Children’s Board, which oversees multi-agency work aimed at protecting and safeguarding children and young people. It is normal practice for the board to comprise of people from partner organisations who have the ability to influence decision making and resource allocation within their organisation.

**Adult Social Services**
The Department of Health’s ‘No secrets’ guidance document\(^2\) requires that authorities develop a local framework within which all responsible agencies work together to ensure a coherent policy for the protection of vulnerable adults at risk of abuse.

All local authorities have a Safeguarding Adults Board, which oversees multi-agency work aimed at protecting and safeguarding vulnerable adults. It is normal practice for the board to comprise of people from partner organisations who have the ability to influence decision making and resource allocation within their organisation.

**Police**
The overriding concern of the Police in child protection is the welfare of the child. Their general duties are to investigate crimes as well as a duty to prevent offences being committed and to protect those at risk of harm. The Children’s Act 1989 permits the Police to take a child into police protection; where there is reasonable cause to believe that he/she would otherwise be at risk of significant harm.

The Police also play a vital role in Safeguarding Adults with cases involving alleged criminal acts.

It becomes the responsibility of the police to investigate allegations of crime by preserving and gathering evidence. Where a crime is identified, the police will be the lead agency and they will direct investigations in line with legal and other procedural protocols. Police and Social Services will work jointly where it is likely that criminal proceedings will be brought against the perpetrator of the abuse.

**NSPCC**
The NSPCC pursues its objective of identifying and preventing child abuse through consultation and cooperation with Social Services. They are identified as an ‘authorised person’ under the Children Act 1989. NSPCC runs national Child Protection Helplines. Child Protection Officers of the NSPCC are required to initiate procedures that ensure their own appropriate response to any complaint or request for help on all matters concerning children.

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3 Recurring at uniform intervals, or occurring at predictable times or intervals
policy will enable them to make informed and confident responses to specific safeguarding issues.

**Role of Line Managers/Person-in-charge**
The role of the line manager is to support the member of staff, trustee or volunteer involved with the incident and to ensure the correct procedures are followed. The line manager should make contact with the delegated or designated Safeguarding Officer in the first instance.

The line manager should ensure that all staff within their team are familiar with the Liberal Democrat’s current safeguarding procedures and ensure that all staff undertake safeguarding training, where appropriate. They should also ensure that those who work closely and regularly with under18s/vulnerable adults have a disclosure and barring (DBS) check (previously called a CRB check).

The line manager should ensure that recruitment is undertaken in line with current Liberal Democrats recruitment processes and procedures. These procedures and processes take account of the need to safeguard and promote the welfare of under18s and vulnerable adults, including arrangements for appropriate checks on new staff, volunteers and trustees where applicable.

**Training and Support**
For some roles within Liberal Democrats safeguarding training is mandatory and must be completed before undertaking work in a position of trust. You will be notified if this applies to your role. The training will take the form of E-Learning and will be easily accessible across regional teams. To access the training please email: pastoralcareofficer@libdems.org.uk asking them to set up your account.

For volunteers and staff who have occasional contact with children and young people: You should be familiar with these guidelines and understand your responsibilities relating to safeguarding under18s and vulnerable adults. If you feel you would benefit from training, you should contact: pastoralcareofficer@libdems.org.uk.

**Role of Named Safeguarding Officer**
The role of the Named Safeguarding Officer is to deal with all instances involving safeguarding issues that arises within the Liberal Democrats. They will respond to all safeguarding concerns and enquiries.

The Named Safeguarding Officer for the Liberal Democrats is the Pastoral Officer.

Contact: pastoralcareofficer@libdems.org.uk and phone: 07 3850 31170.

**Use of Photographic/Video Equipment**
Parental written consent should be obtained prior to the taking of photographs and/or video footage and use of images of under18s. If a vulnerable adult is not able to give informed consent themselves, carer written consent should be obtained prior to the taking of photographs and/or video footage and use of image of that vulnerable adult. When consent is being sought, parents/carers should be made aware of when, where and how the images may be used to.

See also the guide and code of conduct for working with under18s and vulnerable adults for more information on working with this group. [https://www.libdems.org.uk/doc-safeguarding-guide](https://www.libdems.org.uk/doc-safeguarding-guide)
Procedure in the Event of a Disclosure

It is important that under18s/vulnerable adults are protected from abuse. All complaints, allegations or suspicions must be taken seriously. This procedure must be followed whenever an allegation is made that an under18/vulnerable adult has been abused or when there is a suspicion that an under18/vulnerable adult is being or has been abused.

Responding Appropriately to a Disclosure

If an under18/vulnerable adult makes a disclosure to you of alleged abuse, the key is the ‘3 Rs’: reassure, report and record.

- **Reassure**: stay calm, listen and show empathy. Reassure them that it will be taken seriously and explain that the issues will be reported internally and what may happen next.
- **Report**: report to the person in charge immediately. Consider notifying external agencies, including social services or the police if necessary (see more detail on reporting below).
- **Record**: write up notes of the conversation clearly and factually as soon as possible and pass them onto the line manager, Local Chair, or Pastoral Care Officer.

**DO:**

- Make sure the individual is safe.
- Assess whether emergency services are required and if needed call them.
- Listen carefully to what is said.
- Stay calm, offer support and reassurance. Reassure the individual that the matter will only be disclosed to those who need to know about it. *(See section on confidentiality)* Reassure the individual that they have done the right thing in telling you.
- Explain areas of confidentiality. Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others – do not promise to keep secrets. It is important that the individual is sensitively informed that cases of alleged abuse will be referred to the appropriate agencies for the individual’s own sake.
- Speak to your manager and/or the Pastoral Care Officer for support and guidance.
- Be clear to the individual about what your role is regarding the information and what action you will have to take as a result.
- Explain the procedure to the individual making the allegation. The individual’s involvement in the process of sharing information should be fully considered and their wishes and feelings taken into account.
- Ascertain and establish the basic facts. Make careful notes and obtain agreement them, ensuring notation of dates, time and persons present are correct and agreed. Ask questions for clarification only, and at all times avoid asking questions that suggest a particular answer. Allow the individual to continue at her/his own pace.
- Tell them what you will do next, and with whom the information will be shared. Record in writing what was said, using the individual’s own words as soon as possible – note the date, time, any names mentioned, to whom the information was given and ensure that the record is signed and dated.
- Assurances should be given to the individual that they will be kept informed of any action to be taken and why.
- Follow correct procedure.
DON’T:

- Confront the alleged abuser.
- Be judgmental or voice your own opinion.
- Be dismissive of the concern.
- Investigate or interview beyond that which is necessary to establish the basic facts.
- Disturb or destroy possible forensic evidence.
- Consult with persons not directly involved with the situation.
- Ask leading questions, as this can cause problems for the subsequent investigation and any court proceedings. A ‘leading question’ is one which suggests a particular answer or contains the information you are seeking to confirm.
- Assume information.
- Make promises of confidentiality, as this may conflict with the need to ensure the safety and welfare of the individual.
- Ignore the allegation.
- Elaborate in your notes.
- Panic.
- Seek proof before reporting your concerns.

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. That is a task for the professional safeguarding agencies, following a referral.

Reporting a Disclosure

Making a record

A full record shall be made as soon as possible of the nature of the allegation and any other relevant information including using the ‘Initial Cause for Concern Form’ at Appendix 2 to this procedure. This should include information in relation to the date, the time, the place where the alleged abuse happened, your name and the names of others present, the name of the complainant and, where different, the name of the under18/vulnerable adult who has allegedly been abused, the nature of the alleged abuse, a description of any injuries observed, the account which has been given of the allegation.

Referring to outside agencies

A referral should be made to relevant outside agencies including (a) Social Services and (b) if there has been a potentially criminal act, the police.

If you are not sure about the seriousness of the allegation or whether it should be reported to outside agencies or the police, contact the Pastoral Care Officer for safeguarding advice as soon as possible. It is not for you to decide whether something is criminal or abusive for sure – only that it might be, in which case the relevant agencies and/or police should be informed to make this decision.

When submitting a report to the relevant authorities such as the police or social services a written record of the date and time of the report shall be made and the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the relevant local authority Social Services department within 24 hours (Appendix 3).

You can find information about the local area social services teams on your local council’s website.
The police can also offer advice regarding safety at home and in the community and may refer people who have experienced violence, abuse or crimes to the Victim Support helpline - 0845 303 0900.

**Reporting within the Liberal Democrats**

Any disclosure of suspected abuse must be reported without delay, that working day where possible, to the designated Named Safeguarding Officer or the delegated person unless this person is involved. It is important that under18s and vulnerable adults are protected from harm therefore all complaints, allegations or suspicions must be taken seriously.

If the police or social services have been informed, always also contact the Local Party Chair and Pastoral Care Officer, except if the Local Chair is involved in, or has a connection to, the disclosure or the under18/vulnerable adult, in which case you should contact the PCO directly.

The Pastoral Care Officer (PCO) at pastoralcareofficer@libdems.org.uk

T: 0738 503 1170

If the Liberal Democrats undertake an investigation, support should be given both to the person making the complaint, the victim of any inappropriate behaviour (if different) and the person or persons accused. Emotional Support is available from the Pastoral Care Officer. Once the investigation is completed, all relevant parts of the organisation (which may include any of a local party, regional party, state party and/or HQ staff) must decide what action, if any, is necessary to prevent a similar situation arising again.

**Making a Formal Complaint**

Whether the disclosure relates to suspected abuse, or does not relate to suspected abuse, but is nevertheless against the Members' Code of Conduct, discriminatory and/or relates to behaviour by a member of the Liberal Democrats which is likely to bring the party into disrepute, you can also log a complaint about that member via: https://www.libdems.org.uk/making-a-complaint.

You should then receive an acknowledgement of this within 48 working hours from our Standards Officer. You can also seek emotional support from our Pastoral Care Officer at any time prior to, during, or after the proceedings of the complaint.

All complaints are reviewed on an individual basis. You can find out further information about how our complaints procedure works by reading our Complaints Procedure and Guidance document which came into force on 1st July 2019 -https://www.libdems.org.uk/complaints-procedure-guidance

**Confidentiality**

Safeguarding raises issues of confidentiality which should be clearly understood by all.

Members, staff, volunteers and trustees have a responsibility to share relevant information about the protection of under18s and Vulnerable adults with other professionals, particularly investigative agencies. Clear boundaries of confidentiality should be communicated to all. All

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*Local Party Chair*
personal information regarding under18s should be kept confidential except when it is suspected that the person is the victim of abuse.

If an under18/vulnerable adult confides in a member, volunteer, trustee or member of staff and requests that the information is kept secret, it is important that the person confided in tells the individual sensitively that he or she has a responsibility to refer cases of alleged abuse to the appropriate agencies for the under18/vulnerable adult’s own sake. Within that context, the under18/vulnerable adult should, however, be assured that the matter will be disclosed only to people who need to know about it.

Where possible, consent should be obtained from the under18/vulnerable adult before sharing personal information with third parties. In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the under18/vulnerable adult is the priority.

Child/adult protection issues are highly sensitive and anyone who receives information about children/vulnerable adults or their families in the course of their work should share that information only within appropriate professional contexts.

All records should be kept secure and all personal information regarding an under18/vulnerable adult should be kept confidential. All written records will be kept in a secure area for a specific time as identified in data protection guidelines. Records will only record details required in the initial contact form.

This section should be read alongside the party’s guidance on data protection, including GDPR.
Useful Organisations, People and Further Sources of Information

The local county council will have links to their safeguarding team.

Key people to contact within the team include: Director of Children Services, Head of Safeguarding and Director of Social Services.


Working together to Safeguard Children – (A guide to inter-agency working to safeguard and promote the welfare of children.)


Guide to internet safety and safe surfing for young people from Think U Know. Part of CEOP: www.thinkuknow.co.uk

NSPCC: telephone 0808 800 5000, Website: www.there4me.com

‘No Secrets’ report – (A national policy for the protection of vulnerable adults)

Action on Elder Abuse (AEA) is a charity working to protect, and prevent the abuse of, vulnerable older adults. http://www.elderabuse.org.uk

The Centre for Policy on Ageing was established in 1947 by the Nuffield Foundation with a remit to focus on the wide-ranging needs of older people. http://www.cpa.org.uk/index.html

The Liberal Democrat’s Pastoral Care Officer is also available for confidential help and advice at any time (See contact details above).

Department of Health Statement of Government Policy on Adult Safeguarding:

Regulated activity (adults); The definition of ‘regulated activity’ (adults) as defined by the Safeguarding Vulnerable Groups Act 2006 from 10th September 2012, Department of Health

Rape and Sexual Offences: Chapter 2: Sexual Offences Act 2003 - Principal Offences, and Sexual Offences Act 1956 - Most commonly charged offences:
APPENDIX 1: INTERNAL CONCERNS FLOW CHART

Safeguarding concern about an Under18/vulnerable adult?

Concerned about the inappropriate behaviour of a Member of the party/volunteer/staff?

Complete the Safeguarding Form

Provide support for the victim

Is it a serious alleged breach of the Members Code of Conduct/ A Guide and Code of Conduct for Working with under18s/vulnerable adults?

Inform the Local Party Chair and Pastoral Care Officer

Consider informing Social Services and/or the Police. If you think a crime has been committed call 999, otherwise call your local police station.

Does it warrant an investigation within the Party’s internal Processes?

If the allegation / concern relates to the Local Party Chair refer directly to the appropriate individual senior to this person. Facilitate referral of the concerns to Social Services Safeguarding Team and consider involving the police.

Contact: David Allworthy, Head of Compliance (and Legal), for advice about using the Rules and Constitution. T: 020 7227 1339 compliance@libdems.org.uk

Ensure the under18/vulnerable adult is appropriately supported while maintaining confidentiality.
APPENDIX 2: CONCERNS ABOUT A MEMBER OF THE PUBLIC

Ensure the under18/vulnerable adult is appropriately supported while maintaining confidentiality.
APPENDIX 3: RECORDING A SAFEGUARDING CONCERN FORM

Name of person raising safeguarding concern:

Concern is about (Tick relevant box):

Vulnerable adult □ Under 18 □

Name of individual safeguarding concern is about:

Are they (Tick relevant box):

Member □ Volunteer □ Employee □

Name of alleged abuser, relationship with under18/vulnerable adult (if known):

Describe your concern and action taken:

Observations to support cause for concern:

Description and location of any visible marks, bruising etc.

Name and Signature of person completing the form: Date:
Name and signature of Witness: Date:
Name of Person receiving the form: Date:

Please use continuation sheet if required