

The Excelsior Trust, Registered Office: Bankside 300,

Broadland Business Park, Peachman Way,

 Norwich. NR7 0AB

Registered Charity: 285899 Company Number: 160722

Safeguarding & Child Protection Policy

This policy applies to all staff, including the Council of Management, paid staff, volunteers and anyone working on behalf of The Excelsior Trust.

As defined in the 1989 Children Act, for the purposes of this policy anyone under the age of 18 should be considered a child. This policy also applies to vulnerable adults.

The Excelsior Trust wishes to safeguard children and young people taking part in sail training from physical, sexual or emotional harm. The Excelsior Trust will take all reasonable steps ensure that, through appropriate procedures and staff training, young people participating in training do so in a safe environment.

**The Excelsior Trust recognises that:**

The welfare of the child is paramount, as enshrined in the Children Act 1989.

All children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have a right to equal protection from all types of harm or abuse.

Some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues.

Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people’s welfare.

**The Excelsior Trust actively seeks to:**

Create a safe and welcoming environment, both on and off the water; where children can have fun and develop their skills and confidence.

Keep up to date with any changes to child protection law and informing and advising fellow trustees, staff and volunteers of such changes.

To operate a culture that encourages the sharing and disclosure of any concerns relating to child protection and safeguarding.

**We will:**

Treat all children with respect and celebrate their achievements.

Value, listen and respect young people.

Carefully recruit and select all employees and volunteers that come into contact with children, ensuring all necessary checks are made to implement safe recruitment and selection procedures.

Share information about child protection and good practice with fellow trustees, staff and volunteers.

Respond swiftly and appropriately to all complaints and concerns about poor practice or suspected or actual abuse by sharing with agencies who need to know and involving parents and children appropriately.

**This Safeguarding and Child Protection policy supercedes that adopted by The Excelsior Trust, Council of Management on 28th February 2014.**

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

**Contents**

**Introduction 4**

**Guidelines Part 1** Aims of the Guidelines **5**

**Guidelines Part 2** Action to take when there is a suspicion or allegation of

Abuse  **9**

**Guidelines Part 3** Protecting Yourself  **14**

**Guidelines Part 4** Managing Safeguarding on Excelsior **16**

**Guidelines Part 5** Complaints and escalation procedures **18**

**Toolkit 1** Forms  **19**

**Toolkit 2** Safeguarding team **23**

**Toolkit 3** Glossary **24**

**Toolkit 4** Case studies **25**

**Toolkit 5** Further resources **26**

**Excelsior Crew Records 27**

**Document Control 28**

**Introduction**

This document sets out the Excelsior Trust’s Safeguarding & Child Protection Policy, related guidelines and provides a toolkit of practical information.

This document has been developed to reflect the guidance and procedures of the Norfolk Local Safeguarding Adults Board and the Association of Sail Training Operators. It also reflects the principles set out in the RYA’s Safeguarding and Child Protection Policy Guidelines.

In line with safeguarding best practice, The Excelsior Trust has designated individuals with formal responsibilities for safeguarding matters. The team comprises a **Designated Safeguarding Lead (DSL)** and **Safeguarding Officers (Onshore and Offshore).** Names and contact numbers are in the Toolkit. Their roles are as follows:

The **Designated Safeguarding Lead** has an overarching responsibility for safeguarding matters with particular responsibility for handling any allegations made against staff.

The **Onshore Safeguarding Officer** provides day to day support to the DSL and acts as a deputy when the DSL is on leave or unavailable.

When the vessel is at sea, the **Offshore Safeguarding Officers** have responsibility for the initial handling of a report of abuse. The DSL and Onshore Safeguarding Officer seek to provide 24/7 support and guidance to the Offshore Safeguarding Officers.

When safeguarding incidents arise whilst at sea, ultimate responsibility remains with the DSL except when the DSL cannot be contacted or in an emergency situation, when the Skipper will assume ultimate responsibility for that incident until the DSL is contacted.

The responsibilities of the safeguarding team are as follows:

To advise and act on all suspicions, belief or evidence of abuse reported to him/her.

To raise safeguarding alerts with the external; agencies where appropriate

To be the first point of contact with the external agencies in respect of safeguarding matters.

To monitor the keeping, confidentiality and storage of records relating to reports of abuse

**Excelsior’s crew** are all expected to have read and abide by the Trust’s Safeguarding and Child Protection Policy. There is a form at the rear of this folder for individual crewmembers to sign to this effect at the beginning of every season, or their first trip on board. The Safeguarding and Child Protection folder is to remain on board the vessel at all times.

All crew, Trustees or volunteers who come in contact with young people should expect to be the subject of DBS checks by the Trust

**Guidelines. Part 1.**

**Aims of guidelines**

The aims of these guidelines are to raise awareness amongst our staff (both onshore and offshore), volunteers and voyage crew of the issues of Abuse and our duties in relation to it, so that our community can play its part in preventing abuse wherever possible and in identifying and responding to Abuse.

Help people understand the different types of Abuse and to recognise signs of abuse

Guide people as to what to do when Abuse is suspected, including how to record and report it:

Inform people as to what happens when a concern of abuse is raised.

Help our community to keep themselves safe from Abuse

Provide useful contact details and references.

**When do safeguarding duties apply?**

Safeguarding duties are constant and apply all the time:

To young people.

To a vulnerable adult who has a need for care and support (whether or not those needs are being met) and is experiencing or at risk of abuse and as a result of those care and support needs is unable to protect themselves from either the risk of or experience of Abuse.

**What is meant by an adult with ‘needs for care and support’.**

Under the Care Act 2014 the definition of care and support needs is based on a person’s ability to achieve key outcomes in their daily life. The following table outlines the range of needs that fall within that definition.

**What are the key outcomes of daily life?**

Maintaining personal hygiene

Managing toilet needs

Being appropriately clothed

Managing and maintaining nutrition

Being able to make use of their home safely

Maintaining a habitable home environment

Developing and maintaining family and other personal relationships

Accessing and engaging in work, training or volunteering

Making use of necessary facilities or services in the local community

Carrying out any caring responsibility for a child

**What is Abuse?**

Abuse is a form of maltreatment of a Young Person or Vulnerable adult. Abuse may occur in a family or in a community setting by those known to them or more rarely, by others. A person may be Abused by an adult or adults or another child or children. Intent is not an issue at the point of deciding whether an act or a failure to act is Abuse. Rather it is the impact of the act on the person and the harm or risk of harm to that individual.

**Abuse may :**

Consist of a single act or repeated acts affecting more than one person;

Occur as a result of a failure to undertake action or appropriate care tasks;

Be an act of neglect or omission;

Occur where a Young Person or Vulnerable Adult is persuaded to enter into a financial or sexual transaction to which they do not or cannot consent;

Occur in any relationship and any setting and may result in significant harm to or exploitation of the individual

In many cases Abuse may be a criminal offence.

**Patterns of abuse may vary and include:**

Serial abusing in which the perpetrator seeks out and ‘grooms’ individuals (sexual abuse sometimes falls into this pattern as do some forms of financial abuse); long term abuse in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse; or opportunistic abuse such as theft occurring because money or jewellery has been left lying around.

**The table below describes the different types of Abuse and examples of behaviours that amount to Abuse.**

Physical abuse may involve inflicting physical harm

▪ Hitting, shaking, pushing, kicking, throwing, poisoning, burning or scalding, drowning or suffocating

▪ Restraint or inappropriate sanctions

▪ Misuse of medication

▪ Giving Young People alcohol or inappropriate drugs

▪ In a sail training environment, physical abuse may occur when the nature and intensity of the physical demands exceeds the Young Person or Vulnerable Adult’s physical capacity.

Emotional abuse is persistent emotional maltreatment such as to cause severe and persistent adverse emotional effects.

▪ intimidation, coercion, harassment, verbal abuse,

serious bullying (including cyber bullying), causing a Young Person or Vulnerable Adult frequently to feel frightened or in danger

▪ conveying to someone that they are worthless, unloved or inadequate

▪ not giving the Young Person or Vulnerable Adult opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate

▪ imposing expectations which are beyond the person’s

age or developmental capability

▪ overprotection and limitation of exploration and learning or preventing the person from participating in normal social interaction

▪ emotional abuse in a sail training environment might also include situations where Young Person or Vulnerable Adult is subjected to constant criticism, bullying or pressure to perform at a level that they cannot realistically be expected to achieve.

Sexual abuse involves an individual (male or female, or another child)

▪ physical contact (eg. kissing, touching, masturbation, rape or oral sex)

▪ indecent exposure forcing or enticing a Young Person or Vulnerable Adult to take

part in sexual activities to gratify their own sexual needs.

▪ involving a Young Person or Vulnerable Adult in looking at, or in the production of, sexual images

▪ sexual teasing or innuendo or encouraging a Young Person or Vulnerable Adult to behave in sexually inappropriate ways

▪ grooming a Young Person in preparation for sexual Abuse or exploitation (including via the internet)

▪ in a sail training environment, the potential for physical contact could create situations where sexual abuse may go unnoticed.

**Financial or material abuse**

▪ Theft, fraud, exploitation.

▪ The misuse or misappropriation of property, possessions or benefits.

Discriminatory abuse

▪ Racism,

▪ Sexism or acts based on a person’s disability, age or sexual orientation.

 Other forms of harassment, slurs or similar treatment such as disability hate crime

Neglect is the persistent failure to meet a Young Person or Vulnerable Adult’s basic physical

and/or psychological needs, likely to result in the serious impairment of health or development.

**Failing to:**

▪ ensure adequate supervision

▪ ensure access to appropriate medical care or treatment

▪ respond to a Young Person or Vulnerable Adult’s basic emotional needs

▪ neglect in a sailing situation might occur if an instructor or coach fails to ensure that a Young Person or Vulnerable Adult is safe, or exposes them to undue cold or risk of injury or repeatedly fails to involve them an individual in activities. Self-Neglect Covers a wide range of behaviour including neglecting to care for one’s personal hygiene, health or surroundings

and behaviour such as hoarding.

**Signs of grooming**

The signs of grooming aren’t always obvious. Groomers will go to great lengths not to

be identified. Young People may:

● have access to drugs and alcohol

● have new things such as clothes or mobile phones they can’t or won’t explain

● be very secretive, including about what they are doing online

● have older boyfriends or girlfriends

● go to unusual places to meet friends

In older children, signs of grooming can easily be mistaken for “normal” teenage

behaviour, but you may notice unexplained changes in behaviour or personality, or

inappropriate sexual behaviour for their age.

**Detecting abuse**

**It is not always easy to spot when a person has been Abused. However, some of the**

**more typical symptoms which should trigger your suspicions would include:**

▪ unexplained or suspicious injuries such as bruising, cuts or burns, particularly if

situated on a part of the body not normally prone to such injuries;

▪ sexually explicit language or actions;

▪ a sudden change in behaviour (eg. becoming very quiet, withdrawn or displaying

sudden outbursts of temper);

▪ the Young Person or Vulnerable Adult describes what appears to be an abusive act

involving him/her;

▪ a Young Person has a general distrust and avoidance of adults, especially those with

whom a close relationship would be expected;

▪ an unexpected reaction to normal physical contact;

▪ difficulty in making friends or abnormal restrictions on socialising with others.

It is important to note that a Young Person or Vulnerable Adult could be displaying some

or all of these signs, or behaving in a way which is worrying, without this necessarily

meaning that they are being Abused. Similarly, there may not be any signs, but you may

just feel that something is wrong. If you have noticed a change in the Young Person or

Vulnerable Adult’s behaviour, first talk to them. It may be that something has happened

which has caused them to be unhappy, but which does not raise any concern about Abuse.

If you have concerns that a Young Person or Vulnerable Adult may be being Abused,

don't assume that someone else is doing something about the situation.

**Abuse outside of the Excelsior environment**

You may become concerned that a Young Person / Vulnerable Adult who you meet on a voyage or activity has been Abused outside of the Excelsior environment (for example the

Young Person or Vulnerable Adult may divulge something which is happening or has

happened at home, school, college or care facility). Even though the concern relates to possible Abuse outside of the Excelsior environment, our Policy still applies and you should

follow these Guidelines.

**Guidelines Part 2: action to take when there is a suspicion or**

**allegation of Abuse**

**Raising the initial concern or complaint**

Anyone suspecting or hearing a complaint of Abuse should:

▪ listen carefully and calmly to what they are being told;

▪ report their concerns immediately to any Safeguarding Officer (or if the concern relates to a Safeguarding Officer to the DSL); or to the DSL (or if the concern relates to the DSL to the Vice President. When at sea, the Skipper must be informed of all concerns (unless the concern relates to the Skipper).

You may be upset about what the young or vulnerable person has said, or you may worry

about the consequences of your actions. However, you cannot ignore it. If you are

concerned that a Young Person or Vulnerable Adult may be being abused, it is NOT your

responsibility to investigate further BUT it is your responsibility to act on your concerns

and report in accordance with these guidelines.

**Protecting the safety of the individual: the first priority**

When a concern of Abuse is raised, the priority of the Safeguarding Officers and the

DSL is to secure the safety and wellbeing of the person at risk. You must ensure that the

young or vulnerable person is safe and feels safe. If the person is in immediate danger

the relevant emergency services must be contacted. If the concern arises aboard the

ship, the Master should consider whether, in order to secure the safety of the person at

risk, it is necessary to discharge the individual suspected of Abuse. If time permits, the

Master should discuss such steps with the onshore safeguarding team.

**Preserving the evidence**

Any forensic or other evidence (scribbled notes, mobile phones containing photos or

text messages, clothing etc) must be preserved if possible.

**Understanding the allegations**

The Safeguarding Officer should discuss the concern with the Young Person or Vulnerable Adult concerned. The Safeguarding Officer should:

▪ listen clearly and calmly and keep an open mind;

▪ show and tell the Young Person or Vulnerable Adult that you are taking what he/she

says seriously;

▪ reassure the Young Person or Vulnerable Adult that they have done the right thing

by raising the concerns;

▪ be careful about physical contact, it may not be what the Young Person or Vulnerable

Adult wants;

▪ be honest, explain that you will have to pass the information to the DSL, who will

ensure that the correct action is taken;

▪ seek clarification from the DSL if he or she is uncertain how to proceed;

▪ avoid being seen to make a judgement or express a view about the information gained to any alerter or alleged abused.

The Safeguarding Officer should not:

▪ make a decision as to whether Abuse has taken place;

▪ give a guarantee of absolute confidentiality;

▪ ask leading questions (as they may jeopardise any formal investigation).

**What is a leading question?**

A leading question is where you suggest an answer or provide options that only need

a ‘yes’ or ‘no’ answer, instead of allowing a person to explain things in their own

words. An example would be asking ‘did X hit you?’. Use open questions such as ‘how

did you get that bruise?’ and ‘what happened next?’

**Making and keeping a record of the incident**

It is vital that the Safeguarding Officer makes a written record of any incident or

allegation of Abuse as soon as possible after the information is obtained. Written records

must reflect as accurately as possible what was said and done by the people initially

involved in the incident.

**What to record**

▪ Details of the alleged victim (name, contact details, DOB, gender, ethnicity,

language, any disability, any communication needs)

▪ Details of the alleged abuser and whether they are also a Vulnerable Adult at risk

or Young Person

▪ Action already taken to protect the person at risk and any information already

shared

▪ Nature of the concerns, reasons and context for these and how they came to light

▪ Any impression of the seriousness related to the situation

▪ Any concerns or doubts about the mental capacity of the person at risk

▪ The perspective of the person at risk about the situation and whether the person

is aware of and has consented to the referral

▪ Any other professionals, carers and significant family members, friends,

or neighbours involved

**Confidentiality and use of records**

▪ The notes you keep must be kept safe as it may be necessary to make records available to the authorities or to a court. All information must be treated as confidential and only shared with those who need to know.

▪ If the allegation or suspicion concerns Abuse of a Young Person/Vulnerable Adult by

someone within the Excelsior organisation, only the young persons parents/carers, the DSL and the Vice President (unless they are the subject of the allegation) and the relevant authorities should be informed.

▪ If the alleged abuse relates to a Young Person and took place outside the Excelsior environment, the Local Authority will decide who else needs to be informed, including

the Young Person’s parents/carers. It should not be discussed by anyone within The Excelsior Trust, other than the person who received or initiated the allegation, the Safeguarding Officer and the DSL.

▪ Confidential information must be stored securely. Microsoft Outlook is not secure and should not be used to store confidential data. All documents should be stored electronically in a password protected file on Excelsior’s Dropbox internal storage system. All printed copies must be stored in a locked filing cabinet. Confidential information should be retained for at least 3 years and then destroyed by secure means, e.g. by shredding or burning.

**Reporting the incident**

The Safeguarding Officer must report the incident or allegation of Abuse within 24 hours

of the disclosure or expression of concern of Abuse. If that timescale cannot be met, the

reasons should be recorded. The Safeguarding Officer should make the report:

 to the DSL; or to the Vice President, if the concern relates to the DSL. A template report form is included in the Toolkit.

**Obtaining consent of the Vulnerable Adult or Young Person to share**

**information**

It is best practice to gain the consent of a Vulnerable Adult or Young Person before sharing their information. Ordinarily, anyone over the age of 16 should give informed consent to their information being shared. “Informed consent” means that the Young Person or Vulnerable Adult must understand the situation and willingly agree to their information being shared. In practice, that means that:

 the Safeguarding Officer must assess whether the Young Person or Vulnerable Adult can give informed consent. If so, their consent should be sought

▪ there should be some form of communication (written, verbal, sign language) where the individual knowingly indicates their consent;

▪ if the Young Person or Vulnerable Adult states that they do not want to share their information, their wishes should ordinarily be respected;

In certain circumstances, the Safeguarding Officer can share information even

though the Young Person or Vulnerable Adult does not give their consent. Those circumstances are:

▪ where it is in the public interest to do so because not acting will put others at risk;

▪ where there is a duty of care to intervene (eg a crime has or may have been committed).

In some circumstances the Safeguarding Officer should not seek the Young Person or

Vulnerable Adult’s consent before sharing their information. Consent should not be

sought where doing so would:

▪ place the Young Person or Vulnerable Adult at increased risk of significant harm; or

▪ prejudice the prevention, detection or prosecution of a serious crime. In those circumstances you can communicate the information without consent. In fact, you have a duty of care to do so. You will not be breaching any confidentiality legislation as long as the information is shared in a confidential manner with the DSL.

**Raising a Safeguarding Alert with the external authorities**

The DSL will not investigate the complaint; rather the DSL will make the decision as to

whether the report requires that a Safeguarding Alert should be raised with the Local

Authority. The DSL will raise a Safeguarding Alert with the Local Authority if the

following criteria are satisfied:

Is there an allegation of Abuse of a Young Person?

Is there an allegation of abuse of an adult with needs of care and support?

AND Is the adult unable to take care of him or herself?

OR Is the adult unable to protect him or herself against significant harm or exploitation?

If the answer is YES, then the DSL should raise a ‘Safeguarding Alert’

**A Safeguarding Alert should be raised by the DSL within 24 hours of the disclosure or**

**expression of concern of abuse to the DSL. If that timescale cannot be met, the reasons**

**should be recorded.**

A Safeguarding Alert will be raised with one or more of the following contacts, as appropriate.

If a Vulnerable Adult is at risk Suffolk Adult Care portal or Customer First. Telephone: 0800 917 1109.

If a Young Person is at risk Customer First. Tel; 0808 800 4005 (freephone)

LADO. (Local Authority Designated Officer) LADO@Suffolk.gov.uk, Tel: 0300123 2044.

▪ If a crime has been or may have been committed Contact the Police in the relevant geographic area.

*These contact details will be reviewed every three months by the onshore Safeguarding*

*Officer and any updates will be communicated to all Safeguarding Officers and to the*

*DSL*.

Each Local Authority will have a single point of contact for safeguarding alerts/referrals.

If the Young Person or Vulnerable Adult is already allocated within the Local Authority,

the referral will be directed to the team holding the case. If the Young Person or

Vulnerable Adult is not known to the Local Authority the alert/referral will be directed

to the Multi Agency Safeguarding Hub or equivalent team.

In many cases, the Young Person or Vulnerable Adult will have a home address in an

Authority other than Suffolk. If so, consideration should be given to informing that Council, in addition to Suffolk, as responsibility for any on-going investigation may be the responsibility of the person’s “home” Council. Suffolk will give advice about this.

**What happens after a Safeguarding Alert is raised?**

Not all alerts will necessarily result in a safeguarding process for example, where there

is no abuse, or the person requires signposting to another service or a review of their current care. The Local Authority will initiate the following process.

▪ Within 24 hours of the Safeguarding Alert, the Local Authority will screen the information to determine whether or not the circumstances of the case engage the statutory duty to make a safeguarding enquiry.

▪ Within 72 hours of the alert, the Local Authority will make initial contact with the

Vulnerable Adult or the parent or carers of the Young Person to ascertain their views

and determine the outcomes the Vulnerable Adult or the parent or carer wishes to

see. Immediate safety will be discussed. An initial safeguarding support plan will be

agreed

▪ Within 7 days of the initial contact, if it is decided that there is a duty to conduct a

safeguarding enquiry, the Local Authority will hold a planning meeting and agree a

safeguarding action plan and lead roles

▪ Within 28 days of the planning meeting, the Local Authority will conduct the

safeguarding enquiry. The purpose of the safeguarding enquiry is to establish with the individual and/or their representatives, what (if any) action is needed in relation

to the situation and to establish who should take such action.

In addition, the following steps will be taken after a Safeguarding Alert:

The DSL will inform the Vice President that a Safeguarding Alert has been raised (or if the alert concerns the DSL, the Vice President will inform the Trustees. No details of the incident or allegation will be disclosed to the Vice President or Trustees at this stage, as this may prejudice the outcome of a Local Authority investigation

▪The DSL will discuss with the Local Authority whether to

(1) inform the person against whom the allegation was made of the fact that an investigation is taking place and what the likely process will involve;

(2) refer the matter to the Disclosure and Barring Service (if the if the individual concerned has caused harm or poses a future risk of harm to Young People or Vulnerable Adults); and (3) inform the Care Quality Commission.

**Other possible steps after an incident or allegation is reported**

If the reported incident or allegation concerns an Excelsior Trust employee, the issue will be considered in accordance with the Trust’s internal disciplinary procedures.

It is possible that the incident or allegation might not require a Safeguarding Alert to be

raised but nevertheless still does represent inappropriate behaviour or poor practice by

the member of staff/volunteer.

It is also possible that the allegation might be shown to be false or malicious.

**Guidelines Part 3: protecting yourself**

At The Excelsior Trust we strive to promote good practice to minimise situations where adults are supervising Young People or Vulnerable Adults unobserved. Good practice protects everyone – including volunteers and staff.

Given the unique nature of the work The Excelsior Trust carries out, we should expect situations requiring support to Young People or Vulnerable Adults. We must never stop or discourage that support but we must ensure that such support is provided in a way that is appropriate and cannot be misconstrued by the Young Person or Vulnerable Adult or by Onlookers and that it does not expose the person providing the support to the risk of false or malicious allegations.

These guidelines are designed to foster the supportive ethos, which is at the heart of The Excelsior Trust.

**How to minimise the risks to you**

▪ Avoid spending any significant time working with a Young Person or Vulnerable Adult in isolation

▪ Do not socialise alone with a Young Person or Vulnerable Adult ashore

▪ Avoid being alone in a cabin with a Young Person or Vulnerable Adult.

▪ Do not take a Young Person or Vulnerable Adult alone in a car or Ship’s boat,

however short the journey

▪ Do not take a Young Person or Vulnerable Adult to your home

▪ Where any of these are unavoidable, ensure that they only occur with the full knowledge and consent of a senior member of staff or crew, or the individual’s parents or guardian

▪ If you find yourself in a situation where you need to help or handle a Young Person

or Vulnerable Adult (for example if they have fallen over), apply good judgement; be

polite and whenever possible, request permission from them before you handle

them, particularly if there is no-one else around.

You should never with a Young Person or Vulnerable Adult:

▪ Engage in rough, physical or sexually provocative games

▪ Allow or engage in inappropriate touching of any form

▪ Use physical restraint, except in certain limited circumstances (see the box below)

▪ Allow a Young Person to use inappropriate language unchallenged, or use such language yourself when with them

▪ Make sexually suggestive comments even in fun

▪ Do things of a personal nature that they can do for themselves, or with a known friend or carer

▪ Fail to respond to an allegation of Abuse.

**When is physical restraint permissible?**

Any physical restraint is only permissible when a Young Person or Vulnerable Adult is in imminent danger of inflicting an injury on himself/herself or on another, and then only as a last resort when all efforts to defuse the situation have failed and after a verbal warning has been given .

▪ Another member of staff/volunteer should, if possible, be present to act as a witness.

▪ Only "reasonable force" should be used – in proportion to the circumstances of the

incident and the seriousness of the behaviour or consequences it is intended to prevent and always be the minimum needed to achieve the desired result. All incidents of the use of physical restraints should be recorded in writing and reported immediately to the Safeguarding Officer or DSL.

**Sexual Relationships with Young People; coping with crushes**

It is an offence under the Sexual Offences Act 2003 for a person over 18 to have a sexual

relationship with a Young Person where that person is in a position of trust in respect of

that Young Person. The law uses the age of 18 to recognise that many young people,

while over the age of consent for sexual activity (16), are still reliant on adults who hold

some responsibility for their care and that young people are, therefore, vulnerable to the

potential abuse of power by those adults. The offence acknowledges that a person in a

position of trust is expected to respect their position and not abuse it.

Managing a Young Person’s crush can be difficult. The adult concerned can feel isolated and vulnerable, and uncertain how to deal with this unwanted attention without offending the Young Person. An adult who suspects that they are the subject of a Young Person’s crush must always seek help and advice from a Safeguarding Officer in dealing with the situation at the earliest opportunity, rather than attempting to manage the situation on their own, which is likely to make matters worse and raise suspicions

Sexual relationships are defined as including:

▪ sexual activity including sexual touching through to intercourse

▪ causing or inciting sexual activity with a child

▪ sexual activity in the presence of a child

▪ causing a child to watch a sexual act

Sexual relationships between any member of The Excelsior Trust staff and any Young Person, will be treated as ‘gross misconduct’ and will almost certainly result in dismissal. The Trust undertakes to report such incidents to the Disclosure and Barring Service, within one month of leaving.

**Guidelines Part 4: Managing safeguarding on Excelsior**

The following guidelines reflect matters that have arisen in practice during

voyages and day sails. These guidelines should be updated annually to create an

evolving body of guidelines for how to address issues and questions arising in the

application of this Safeguarding Policy and its other guidelines.

**Landing Vulnerable Adults and Young People**

If the need arises to consider landing a Young Person or Vulnerable Adult, the

Skipper and/or Mate should, if circumstances) permit, consult with the Designated Safeguarding Lead or Onshore Safeguarding Officer (who can in turn seek advice from the Local Authority).

Factors to be considered in reaching that decision should include any risk of Abuse of the Young Person or Vulnerable Adult on their return journey home and steps that can be taken to safeguard them from that risk of Abuse.

If a decision is made that a Young Person or Vulnerable Adult should be landed, their next of kin, guardian or agency should be contacted (usually by the Designated

Safeguarding Lead or Onshore Safeguarding Officer) as soon as possible and asked to make or help make safeguarding arrangements.

**Safeguarding considerations could include the following**:

If the Young Person or Vulnerable Adult are travelling with a known friend, that friend should be asked to leave the voyage and accompany them on the journey home.

▪ If the voyage is in the UK an Excelsior volunteer of member of staff should wait with them until their next of kind, guardian or agency can collect them and take them home.

▪ If the voyage is not in the UK a member of permanent crew or an appropriate volunteer should accompany them to the airport/station/hospital whilst the Designated Safeguarding Lead or Onshore Safeguarding Officer should seek support from the police or the local

Consular official.

▪ Can the Young Person or Vulnerable Adult safely complete all of the journey home alone or should they be accompanied for part of it?

▪ If the voyage is not in the UK, can a member of permanent crew or a volunteer accompany the Young Person or Vulnerable Adult to the airport check in and arrange for a member of airport staff to accompany them to the boarding gate? Will their next of kin, guardian or agency meet them on arrival? Should assistance be requested from the local police, a local consular office or other authority?

**Bunk and cabin allocation for large numbers of Young People**

For Safeguarding Policy purposes, there is no concept of a youth voyage or day sail and

there is no distinct policy requirement driven by the number of Young People aboard. This policy applies just as it would to any voyage.

**If the voyage is a charter voyage for Young People (for example with the Guides,**

**the Cadets, a school charter etc), the following guidelines apply**:

▪ Safeguarding should be discussed with the partner organisation at an early stage in the planning process (and before the contract is signed)

▪ Those discussions should establish any particular safeguarding needs or expectations (both on the part of the partner and The Excelsior Trust).

▪ Bunk and cabin allocation should be part of that discussion, including whether areas should be allocated by gender and whether adults should sleep amongst the Young People’s bunks or in separate areas.

▪ The charterer should be advised if any arrangements requested will reduce the number of bunks available

▪ Those discussions should also address responsibility for safety, safeguarding and welfare whilst aboard the ship: ordinarily, whilst the Skipper will retain ultimate authority and legal responsibility for everyone aboard, any teachers, leaders or carers will be expected to

retain an active role and responsibility for the welfare and safeguarding of the Young People

▪ The permanent crew should be advised early and as part of the project brief.

**Guidance for staff and volunteers on communications and E-Safety**

The following guidelines are to help staff protect themselves. We strongly recommend that they are followed by all permanent, relief, supernumerary, volunteer crew and office staff.

***Do***

▪ communicate with voyage crew regarding organisational matters, not for social or personal contact.

▪ wherever possible, use a business phone or email address.

*When using social media*

▪ it is recommended that you have separate personal and professional pages

▪ if you see a comment from a Young Person or Vulnerable Adult that is inappropriate, challenge it.

▪ set your privacy settings as high as possible on your personal account.

***Don’t***

▪ give your personal mobile phone numbers or email addresses to Young People.

▪ establish or seek to establish social contact with Young People by text or instant messaging, personal email or via social media for the purpose of securing a friendship.

▪ engage in inappropriate electronic communication with a Young Person.

If a Young Person/Vulnerable Adult seeks to establish contact with you, you should exercise your professional judgement in making a response and be aware that social contact could be misconstrued.

**Guidelines Part 5: Complaints and escalation procedures**

If you are concerned that action to safeguard has not been followed in accordance with this Policy or these Guidelines, you should first raise your complaint with the DSL (or if your complaint concerns the DSL, with the Vice President. Your complaint should be in writing (or if that is not practicable, by telephone) and should:

▪ explain your concern in as much detail as possible;

▪ describe the outcome you are hoping for;

▪ include your contact details (name, address, daytime telephone number and/ or email).

We will aim to acknowledge your complaint within 48 hours and to respond to your complaint with a resolution within 10 working days.

If, for any reason, you are not satisfied with our response and wish to take your

complaint further, please contact Suffolk County Council.

Contact details for the DSL and Vice President are set out in the Toolkit.

**Tool kit 1**

**Forms to use**

These forms are to be used by a Safeguarding Officers reporting to the Designated Safeguarding Lead. This form should be submitted within 24 hours of the disclosure or expression of concern of abuse. These forms are entirely confidential and once completed, should be stored under lock and key.

**PRIVATE & CONFIDENTIAL**

Recording Form for Safeguarding Concerns

ONLY RECORD FACTS - DO NOT INVESTIGATE

|  |  |  |  |
| --- | --- | --- | --- |
| **Full name of child/vulnerable adult** | **Date of birth** | **Tutor/Group** | **Your name and position** |
|  |  |  |  |

|  |
| --- |
| **Nature of concern/disclosure** |
| **Please indicate where you were when the child/vulnerable adult made a disclosure, what you saw, who else was there, what did the child say or do and what you said.****Date and time of incident:** |
| Was there an injury? Yes / No Did you see it? Yes / No |
| Have you filled in a body plan to show where the injury is and its approximate size? Yes / No |
| Was anyone else with you? Who? |
| Has this happened before? Did you report the previous incident? |
| Who are you passing this information on to?Name:Position: |
| Your signature:Time & date**Contact telephone number** |

|  |
| --- |
| **Date:** |

|  |
| --- |
| **Action taken by DSL/OSO:****Referred to …?****Date: Time:****Parents informed? Yes / No (If ‘No’ state reason)****Police crime report number:****Feedback given to …?****Any further action agreed****Full name:****DSL Signature:****Date:** |

Form to be used by Safeguarding Officer reporting to the Designated Safeguarding

Lead. *This form should be submitted within 24 hours of the of the disclosure or expression*

*of concern of Abuse.*

**Tool kit 2**

**The Excelsior Trust’s Safeguarding Team**

**OnshoreSafeguarding Officer:** REDACTED

**Offshore Safeguarding Officer:** tba. Skipper. Mobile: tba Email: skipper@excelsiortrust.co.uk

**Offshore Safeguarding Officer:** REDACTED

**Designated Safeguarding Lead:** REDACTED

In the event of a complaint concerning the conduct of the DSL, the complainant should refer to the Vice President, REDACTED

Use**ful external contacts**

Suffolk MASH Team: 0808 800 4005 / 0345 606 1499

Norfolk MASH Team: 0344 800 8021 professionals. 0344 800 8020 public.

DBS Helpline. LADO. Children’s Services, 1 Norwich Business Park, Whiting Road, Norwich. NR4 6DJ.

Norfolk Police: 01953 - 42442

Suffolk Police: 01473 - 613500

All **Police** forces can be contacted by dialling 999 if urgent or 101 for non-urgent enquiries. Both Norfolk and Suffolk Constabularies operate a ‘Silent Solution’ scheme. Those in danger can call 999 and when prompted, press 55. The Police will then know someone is in danger and respond more swiftly.

**Toolkit Part 3**

**Glossary**

*Abuse* Abuse is a form of maltreatment of a Young Person or Vulnerable Adult.

Somebody may abuse a Young Person or Vulnerable Adult by inflicting harm, or by

failing to act to prevent harm. Young Persons or Vulnerable Adults may be abused in a

family or in a community setting by those known to them or, more rarely, by others.

They may be abused by an adult or adults, or another child or children. Abuse includes

neglect (which is the persistent failure to meet a Young Person or Vulnerable Adult’s

basic physical and/or psychological needs, likely to result in the serious impairment of

health or development).

*Designated Safeguarding Lead or DSL* means the person nominated by the Trust as

having overarching responsibility for safeguarding matters. The DSL has a particular

responsibility for handling any allegations made against staff. The DSL’s contact details

are set out in Toolkit 2.

*Guidelines* means the Guidelines contained in this document.

*Needs of care and support* refers to a person who is in, or may be in need of,

community care services by reason of mental or other disability, age or illness; and who

is, or may be unable, to take care of him or herself, or unable to protect him or herself

against significant harm or exploitation.

*Safeguarding Alert* means an alert regarding abuse of a Young Person or Vulnerable

Adult raised by the DSL with the Local Authority. The DSL will raise a Safeguarding Alert

if certain criteria are satisfied, as set out in the Guidelines.

*Safeguarding Officer* means the person(s) nominated by the Trust as having supporting

responsibility for safeguarding matters. The Safeguarding Officer’s contact details are

set out in the Toolkit.

*Significant harm* means ill treatment (including sexual abuse and forms if ill treatment

which are not physical); the impairment of, or an avoidable deterioration in, physical or

mental health; and/ or the impairment of physical, intellectual, emotional, social or

behavioural development.

*Toolkit* means the toolkit set out in this document.

*Vulnerable Adult* means an adult with *needs of care and support .* The Trust is aware

that the term “Vulnerable Adult” ceased to be used in legislation when the *Care Act 2014*

came into force and was replaced by the term “Adult”. The 2016 version of this Policy

adopted the term “Adult”. However, this version of the Policy reverts to the term

“Vulnerable Adult” reflecting concerns raised by users of the Policy that terms used

within the Policy should be clear and unambiguous.

*Young Person* means anyone under the age of 18 (eighteen) years.

Toolkit Part 4: Case studies

Examples of where there is or might be a safeguarding concern that should be reported

to a Safeguarding Officer.

A member of staff or Voyage Crew buys alcohol for a Young Person/excessive alcohol for a Vulnerable Adult and encourages drunken/inappropriate behaviour.

A member of staff or Voyage Crew repeatedly makes sexually suggestive comments towards a Young Person or Vulnerable Adult, or touches them inappropriately.

A Vulnerable Adult with an acquired head injury caresses Vulnerable Adult with a physical or learning disability in a cabin or in a taxi.

A Watchleader repeatedly and knowingly fails to include a Vulnerable Adult in watch activities.

A buddy who is a carer at home for a Young Person or Vulnerable Adult is witnessed abusing the Young Person or Vulnerable Adult (physically or verbally) or seen to neglect them.

**Examples where there is not or probably is not a safeguarding concern**

A Vulnerable Adult engages in a fully consensual sexual relationship on

Board.

Consensual relationship between two 16/17 year olds.

A person with a physical disability consumes too much alcohol and caresses another person with a physical disability, but where neither individual has needs for care and support or where both individuals are able to protect themselves from Abuse.

Comforting someone who is upset.

**Toolkit Part 5: Training, further information and resources**

Educare’s Safeguarding Young People program:

[*http://lms.educareforeducation.com/*](http://lms.educareforeducation.com/)

Norfolk County Council Children and Families

<https://www.norfolk.gov.uk/children-and-families>

Norfolk Safeguarding Children Board including details on MASH (Multi Agency Safeguarding Hub)

<https://www.norfolklscb.org/>

Norfolk Safeguarding Adults Board

<https://www.norfolksafeguardingadultsboard.info/>

NSPCC Safeguarding Information and Advice

[www.safenetwork.org.uk](file:///C%3A%5CUsers%5CJCamp%5CDownloads%5Cwww.safenetwork.org.uk)

NSPCC: Grooming at a glance

<https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/grooming/>

The Excelsior Trust is a member of the Safer Schools organisation.

**Excelsior Crew Record**

This is to confirm that I have read and understood the Excelsior Trust’s Safeguarding and Child Protection policy.

|  |  |  |
| --- | --- | --- |
| **Name**  | **Date**  | **Signature** |
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