

# **Child and Vulnerable Adult Protection Policy and Procedures**

**EY Foundation**

May 2020

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# 1. Introduction

The purpose of this document is to outline the Child and Vulnerable Adult Protection Policy and procedures for the EY Foundation, in relation to the requirements of UK Legislation, the Charity Commission for England, Wales and Scotland, and as an EY member firm – this covers both children and vulnerable adults (collectively referred to as “young people”).

Also included within this policy are references to or extracts from the EY Foundation’s Volunteer policy, Whistleblowing policy, Data Protection policy, e-safety policy, and Photography policy. These policies together inform our processes and procedures for keeping young people that we work with safe.

## 2. EY Foundation - Our Child and Vulnerable Adult Protection Policy (England and Wales)

This policy applies to all staff, including senior managers and the board of trustees, volunteers and seconded staff, mentors, agency staff, contract, seasonal, apprentices, interns, students or anyone working on behalf of the EY Foundation in either a voluntary or paid capacity. This also includes third party suppliers.

### 2.1 The purpose of this policy:

- to protect children and vulnerable adults (collectively referred to as “young people”) who receive EY Foundation services. Under the *Children Act 1989(2004)*, a child is legally defined as anyone who has not reached their 18<sup>th</sup> birthday. See section 4 for definitions of vulnerable adult
- to provide staff, trustees, volunteers and third party suppliers, with the overarching principles that guide our approach to child protection and protecting vulnerable adults.

The EY Foundation believes that a young person should never experience abuse of any kind. We have a responsibility to promote the welfare of all young people and to keep them safe. We are committed to practice in a way that protects them.

### 2.2 Legal framework

This policy has been drawn up on the basis of law and guidance that seeks to protect young people, namely:

- Children Act 1989
- United Nations Convention of the Rights of the Child 1991
- Data Protection Act 1998
- Sexual Offences Act 2003
- Children Act 2004
- Protection of Freedoms Act 2012
- Relevant government guidance on safeguarding children.

### 2.3 We recognise that:

- the welfare of the child is paramount, as enshrined in the Children Act 1989
- all children, regardless of background, education, gender, ethnicity, nationality, generation, age, working and thinking styles, religious background, sexual orientation, ability and technical skills have a right to equal protection from all types of harm or abuse
- some children and adults are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues (see section 4 for definitions) working in partnership with young people, their parents, carers and other agencies is essential in promoting young people’s welfare
- we have a commitment to safe recruitment of employees and volunteers (such as providing job descriptions, performing Disclosure and Barring Service checks on all employees and volunteers who work one to one with young people, providing child protection training, and providing a copy of policy and procedures to all volunteers and staff)
- we have a commitment to protect children and vulnerable adults who receive EY Foundation’s services and who make use of information and communication technology (such as mobile phones technology and the Internet) as part of their involvement with us and ensure that, as an organisation, we operate in line with our e-safety policy and within the law.

## **2.4 We will seek to keep young people safe by:**

- valuing them, listening to and respecting them
- adopting child protection and vulnerable adults practices through procedures and a code of conduct for staff, trustees and volunteers
- providing effective management for staff, trustees and volunteers through supervision, support and training, including compulsory online NSPCC training where required
- recruiting staff, trustees and volunteers safely, ensuring all necessary checks are made
- supporting and encouraging the young people using our service to use the opportunities offered by information and communication technology in a way that keeps themselves safe and shows respect for others
- sharing information about child protection and good practice with young people, parents, carers, staff, trustees and volunteers
- sharing concerns with agencies who need to know, and involving parents and young people appropriately.

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

This policy was last reviewed on: May 2020

### 3. EY Foundation - Our Child and Vulnerable Adults Protection Policy (Scotland)

This policy applies to all staff, including senior managers and the board of trustees, volunteers and seconded staff, mentors, agency staff, contract, seasonal, apprentices, interns, students or anyone working on behalf of the EY Foundation in either a voluntary or paid capacity. This also includes third party suppliers.

#### 3.1 The purpose of this policy:

- to protect children and vulnerable adults (collectively referred to as “young people”) who receive EY Foundation services. Under the *Children (Scotland) Act 1995*, a child is legally defined as anyone who has not reached their 16<sup>th</sup> birthday. However, under the *Children (Scotland) Act 1995*, they will still be determined as a child in cases where the child is deemed to be vulnerable or still subject to supervision by the local authorities (criteria outlined in the *Adult Support and Protection (Scotland) Act 2007*). See section 4 for definitions of vulnerable adult
- to provide staff, trustees, volunteers and third party suppliers with the overarching principles that guide our approach to child protection and protecting vulnerable adults.

The EY Foundation believes that a young person should never experience abuse of any kind. We have a responsibility to promote the welfare of all young people and to keep them safe. We are committed to practice in a way that protects them.

#### 3.2 Legal framework

This policy has been drawn up on the basis of law and guidance that seeks to protect young people, namely:

- Children (Scotland) Act 1995
- United Nations Convention of the Rights of the Child 1991
- Data Protection Act (Scotland) 1998
- Protection of Children (Scotland) Act 2003
- National Guidance for Protection in Scotland (The Scottish Government, 2010)
- Protection of Vulnerable Groups Act (PVG) (Scotland) Act 2007
- Relevant government guidance on safeguarding children.

#### 3.3 We recognise that:

- the welfare of the child is the primary concern, as enshrined in the Children Act (Scotland) 1995
- all children, regardless of background, education, gender, ethnicity, nationality, generation, age, working and thinking styles, religious background, sexual orientation, ability and technical skills have a right to equal protection from all types of harm or abuse
- some children and adults are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues (see section 4 for definitions) working in partnership with young people, their parents, carers and other agencies is essential in promoting young people’s welfare
- we have a commitment to safe recruitment of employees and volunteers (such as providing job descriptions, performing Disclosure and Barring Service checks on all employees and volunteers who work one to one with young people, providing child protection training and providing a copy of policy and procedures to all volunteers and staff)

we have a commitment to protect children and vulnerable adults who receive EY Foundation’s services and who make use of information and communication technology (such as mobile phones technology and the Internet) as part of their involvement with us and ensure that, as an organisation, we operate in line with our e-safety policy and within the law

### **3.4 We will seek to keep young people safe by:**

- valuing them, listening to and respecting them
- adopting child protection and vulnerable adults practices through procedures and a code of conduct for staff, trustees and volunteers
- providing effective management for staff, trustees and volunteers through supervision, support and training, including compulsory online NSPCC training where required
- recruiting staff, trustees and volunteers safely, ensuring all necessary checks are made
- supporting and encouraging the young people using our service to use the opportunities offered by information and communication technology in a way that keeps themselves safe and shows respect for others
- sharing information about child protection and good practice with young people, parents, carers, staff, trustees and volunteers
- sharing concerns with agencies who need to know, and involving parents and young people appropriately.

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

This policy was last reviewed on: May 2020

## 4. Key definitions

The EY Foundation's mission is to work directly with disadvantaged young people aged 11-30 years, with employers and social entrepreneurs, to create and support pathways to education, employment and enterprise.

For the purpose of the child and vulnerable adults protection policy and procedures, the terms below are defined as follows.

### 4.1 Safeguarding and promoting the welfare of children:

- Protecting children from maltreatment
- Preventing the impairment of children's health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care, and
- Undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

### 4.2 A child

Under the *Children Act 1989(2004)*, a child is legally defined as anyone who has not reached their 18<sup>th</sup> birthday. Child protection and legislation and guidance therefore only applies to those users of the EY Foundation services up to that age. The Foundation will also work with those over the age of 18 and recognises its duty of care to all the young people with whom it works, including vulnerable adults up to 30.

England and Wales have fully adopted the above definition of "child", referring to all people under the age of 18. In Scotland, when a young person reaches the age of 16 they are legally classified as an adult. However, under the *Children (Scotland) Act 1995*, they will still be determined as a child in cases where the child is deemed to be vulnerable or still subject to supervision by the local authorities (criteria outlined in the *Adult Support and Protection (Scotland) Act 2007*).

### 4.3 A vulnerable adult

As defined by the *Safeguarding Vulnerable Groups Act 2006*, a vulnerable adult is defined as a person who is aged 18 years or over and who is:

- living in residential accommodation, such as a care home or residential special school; who may need community care services by reason of mental or other disability, age and illness
- detained in lawful custody and who may be unable to take care of themselves or unable to protect themselves against significant harm or exploitation
- Abuse can affect any vulnerable adult, but particularly someone who is, or may be, unable to protect themselves against significant harm or exploitation, for example:
  - Older people
  - People with mental health problems
  - Disabled people
  - People with learning difficulties
  - People with acquired brain damage
  - People who misuse substances.

### 4.4 Child protection

Child protection is a part of safeguarding and promoting welfare. It refers to the activity that is undertaken to protect specific children who are suffering, or at risk of suffering, significant harm.

#### **4.5 Named person**

Any of the EY Foundation Designated Safeguarding Officers listed in section 6.8 will act, based on a duty rota approach, as the named person and be available to listen, advise and help a child or young person or help them access other services during their participation in one of the EY Foundation programmes. They will also act as point of contact for staff, trustees and volunteers as defined in section 6.6 Reporting procedure.

## 5. Code of Conduct

This behaviour code outlines the conduct expected of anyone who engages with young people\* through the EY Foundation.

(\*Young people for the purposes of this section refer to children and vulnerable adults).

### 5.1 Purpose

Following this code will help to protect young people from abuse and inappropriate behaviour from adults. It will also help staff and volunteers to maintain the standard of behaviour expected of them and will reduce the possibility of unfounded allegations of abuse being made against them.

### 5.2 Upholding this code of behaviour

- All members of staff, trustees and volunteers are expected to report any breaches of this code under the whistle-blowing procedure (see section 9) or, if necessary, under child protection procedures to the Designated Safeguarding Officers (see section 6.8)
- Any breach of the code involving a volunteer, trustee or member of staff may result in them being asked to leave the EY Foundation
- Serious breaches may also result in a referral being made to a statutory agency such as the police, the local authority children's social care department and/or the Independent Safeguarding Authority
- If the breach involves an EY employee (this includes Foundation staff and EY employed trustees) they may be subject to EY's disciplinary procedures (see section 6)
- If the breach involves none EY employee on a Foundation programme they may be subject to the procedures outlined under section 6 of this policy.

### 5.3 The role of staff, trustees and volunteers

When working with young people for the EY Foundation, all staff, trustees and volunteers are acting in a position of trust. It is important that staff, trustees and volunteers are aware that they may be seen as role models by young people, and must act in an appropriate manner at all times.

5.3.1 When working with young people, it is important to:

- operate within EY Foundation's principles and guidance and any specific procedures;
- follow the EY Foundation's child protection and vulnerable adults policy and procedures at all times
- complete compulsory online NSPCC training module before engaging with young people on a 1:1 basis in any capacity, not just as a mentor
- listen to and respect young people at all times
- avoid favouritism, for example when working with two or more young people in a group
- treat young people fairly and without prejudice or discrimination
- value and take young people's contributions seriously, actively involving young people in planning activities wherever possible
- ensure any contact with young people is appropriate and in relation to the work of the project
- always ensure language is appropriate and not offensive or discriminatory
- follow the e-safety policy and report any breaches (see section 7)
- always ensure equipment is used safely and for its intended purpose
- provide examples of good conduct for young people to follow
- challenge unacceptable behaviour and report all allegations/suspicions of abuse
- ensure that whenever possible, there is more than one adult present during activities with young people or if this isn't possible, within sight or hearing of other adults
- be close to where others are working. If a young person specifically asks for or needs some private time, ensure other staff are aware of this and know where both parties are
- respect a young person's right to personal privacy
- encourage young people and adults to feel comfortable and caring enough to point out attitudes or behaviour they do not like
- recognise that special caution is required when discussing sensitive issues with young people.

### 5.3.2 Staff, trustees and volunteers must not:

- patronise or treat young people as if they are silly
- allow allegations of abuse to go unreported
- develop inappropriate relationships such as contact with young people that is not a part of the work of EY Foundation or agreed with the manager or leader
- conduct a sexual relationship with a young person or indulge in any form of sexual contact with a young person. Any such behaviour between an adult member of staff, trustee or volunteer and a young person using the services of EY Foundation represents a serious breach of trust on the part of the staff member, trustee or volunteer and is not acceptable under any circumstances (see section 6 for disciplinary action)
- let young people have personal contact details (mobile number or address)
- “friend” or “follow” young people from personal accounts on social media such as Facebook, Twitter or Instagram
- communicate with young people via personal accounts or private messages
- make sarcastic, insensitive, derogatory or sexually suggestive comments or gestures to or in front of young people
- act in a way that can be perceived as threatening or intrusive
- make inappropriate promises to young people, particularly in relation to confidentiality
- jump to conclusions about others without checking facts
- either exaggerate or trivialise child abuse issues
- rely on own reputation or that of the organisation to provide protection.

### 5.4 The role of parents, carers, schools and youth providers

The EY Foundation welcomes and encourages parental/carers involvement. Parents and carers are regarded as valuable partners in promoting positive behaviour and will be involved as appropriate. In the event of their child becoming the subject of behaviour sanctions, parents/carers will be informed and involved.

Designated Safeguarding Officers at schools or youth providers may be contacted by the EY Foundation Designated Safeguarding Officers in cases when incidents are disclosed by young people during their participation on an EY Foundation programme, this is to ensure young people receive the necessary support after they have completed a programme and return to school or care.

## 6. Procedures for young people at possible risk of abuse

This procedure applies to any paid member of staff, trustee or volunteer who may be concerned about the safety and protection of a young person.

### 6.1 Purpose and aim of this procedure

We aim to ensure those young people\* who are beneficiaries of the work delivered by the EY Foundation receive the protection and support they need if they are at risk of abuse. When social distancing measures are in place it is even more important to stay alert, as young people are not being seen by a range of professionals as regularly as they would usually be.

This procedure provides clear direction to staff, trustees and volunteers at EY Foundation if they have concerns that a young person is in need of protection.

(\*Young people for the purposes of this section refers to children and vulnerable adults).

### 6.2 Different types of abuse

6.2.1 **Physical abuse** is violence causing injury or occurring regularly during childhood. It happens when:

- a young person is hurt or injured by being hit, shaken, squeezed, thrown, burned, scalded, bitten or cut
- someone tries to drown or suffocate a young person
- someone gives a young person poison, alcohol or inappropriate drugs
- someone fabricates the symptoms of, or deliberately induces, illness in a young person.

In some cases the injuries will be caused deliberately. In others they may be accidental but caused by the young person being knowingly put at risk.

6.2.2 **Sexual abuse** occurs when someone uses power or control to involve a young person in sexual activity in order to gratify the abuser's own sexual, emotional or financial needs or desires. It may include:

- forcing or enticing a young person to take part in sexual activities, whether or not the young person is aware of what is happening
- encouraging young people to behave in sexually inappropriate ways
- showing young people pornographic material or involving them in the production of such material
- involving young people in watching other people's sexual activity or in inappropriate discussions about sexual matters.

6.2.3 **Emotional abuse** is persistent or severe emotional ill-treatment of a child that is likely to cause serious harm to his/her development. It may include:

- persistently denying the young person love and affection
- regularly making the young person feel frightened by shouts, threats or any other means
- hurting another person or a pet in order to distress a young person
- being so over-protective towards the young person that he/she is unable to develop or lead a normal life
- exploiting or corrupting a young person, e.g. by involving him/her in illegal behaviour
- conveying to a young person the message that he/she is worthless, unlovable, inadequate, or his/her only value is to meet the needs of another person. This may or may not include racist, homophobic or other forms of abuse.

6.2.4 **Neglect** involves persistently failing to meet a young person's physical, psychological or emotional needs. It may include:

- failing to ensure that a young person's basic needs for food, shelter, clothing, health care, hygiene and education are met
- failing to provide appropriate supervision to keep a young person out of danger. This includes lack of supervision of particular activities or leaving a young person alone in the house.

6.2.5 Vulnerable adults may be subject to additional categories of abuse;

- **Financial or material:** including withholding money or possessions, theft of money or property, fraud, intentionally mismanaging finances, borrowing money and not repaying
- **Discriminatory abuse:** including slurs, harassment and maltreatment due to a person's race, gender, disability, age, faith, culture or sexual orientation
- **Institutional abuse:** including the use of systems and routines which neglect a person receiving care. This can happen in any setting where formal care is provided.

Due to Covid-19 we are self-isolating, social distancing and spending more time at home which can put some young people at greater risk of abuse. These measures can also cause stress and changes in behavior, meaning it may be more difficult to spot the signs of abuse. But if you are worried about a young person, even if you are unsure, then please contact a Designated Safeguarding Officer (see section 6.8 contact details) immediately.

If concerned about the safeguarding of vulnerable adults, please contact your local Adult Social Care Department, which is part of your local authority. Please see useful contacts below (section 6.8) for relevant numbers.

### 6.3 Ways that abuse might be brought to someone's attention

- a young person might make a direct disclosure about him or herself
- a young person might make a direct disclosure about another young person
- a young person might offer information that is worrying but not a direct disclosure
- a member of staff/trustee/volunteer might be concerned about a young person's appearance or behaviour or about the behaviour of a parent or carer towards a young person
- a parent or carer might make a disclosure about abuse that a young person is suffering or at risk of suffering
- a parent/carer might offer information about a young person that is worrying but not a direct disclosure.

### 6.4 Talking to a young person who has said that he/she or another young person is being abused

- Stay calm, listen carefully and take it seriously
- Reassure the young person that telling someone about it was the right thing to do
- Tell him/her that there is an obligation to do what is necessary to keep him/her (or the young person who is the subject of the allegation) safe.
- Let the young person know what will happen next and who else needs to know about it.
- Let the young person tell his or her whole story. Don't try to investigate or quiz the young person, but make sure that it is clear as to what he/she is saying
- Ask the young person what he/she would like to happen as a result of what he/she has said, but don't make or infer promises that can't be kept e.g. don't promise to keep the disclosure a secret
- Consult a Designated Safeguarding Officer (see section 6.8 contact details) **immediately** (i.e. on the same day the young person discloses information about a potential abuse) –
- In the event that a Designated Safeguarding Officer cannot be reached by the close of play that day, please contact the NSPCC Hotline on 0808 800 5000
- For out of hours, please contact the NSPCC Hotline on 0808 800 5000
- Make a careful record of what was said – word for word if possible (see Appendix A)
- The person reporting the abuse is not responsible for deciding whether or not an abuse has occurred – this is the role of the Designated Safeguarding Officer
- Give the child the ChildLine phone number: 0800 1111.

### 6.5 Helping a young person in immediate danger or in need of emergency medical attention

- If the young person is in immediate danger and is in the immediate vicinity, remain with him/her and call the police
- If the young person is elsewhere, contact the police and explain the situation to them
- If he/she needs emergency medical attention, call an ambulance and, whilst waiting for it to arrive, get

help from your first aider

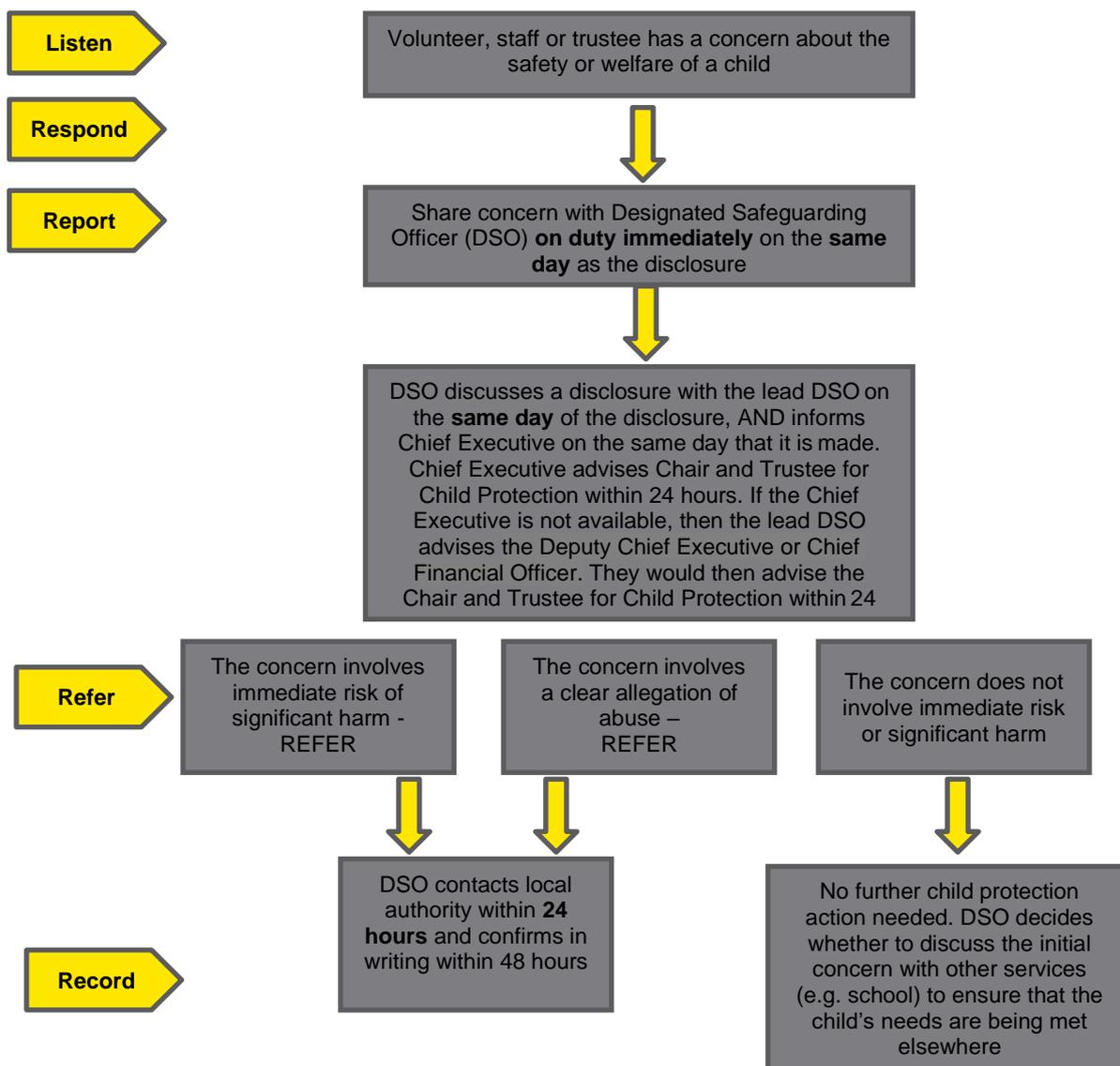
- If the first aider is not available, use any first aid knowledge (if applicable) to help the young person
- Contact a Designated Safeguarding Officer (see section 6.8 contact details) for child protection to let them know what is happening.

6.5.1 A decision will need to be made about who should inform the young person's family and the local authority children's social care department, and when they should be informed. If the police have been involved and/or the health services, they should be part of this decision.

Consider the welfare of the child in the decision-making process as the highest priority. Issues that will need to be taken into account are:

- the young person's wishes and feelings
- the parent/carer's right to know (unless this would place the child or someone else in danger, or would interfere with a criminal investigation)
- the impact of telling or not telling the parent/carer
- the current assessment of the risk to the child and the source of that risk
- any risk management plans that currently exist.

## 6.6 Reporting procedure



### 6.6.1 The responsibility to report serious incidents to the charity commission

In case of a serious safeguarding incident, alongside following the reporting procedure, the EY Foundation must as well promptly report it to the Charity Commission, even if it was reported to the police, donors or another regulator. Full details must be provided, including how the situation is being handled. This requirement is to ensure that the trustees comply with their legal duties and that the charity is managing the incident responsibly, taking the necessary steps to limit its immediate impact and, where possible, prevent it from happening again. Reporting also means that the Commission can identify whether other charities might be affected, being able to give them all better advice and help to protect themselves.

### 6.6.2 What can be considered a serious safeguarding incident?

- Incidents of abuse or mistreatment (alleged or actual) that have resulted in risk or significant harm to beneficiaries and other people who come into contact with the charity through its work;
- Breaches of the charity's policies or procedures, which have put in risk or significant harm, people who come into contact with the charity through its work, including failure to carry out relevant vetting checks which would have identified that a person is disqualified in law from holding their position within the charity. This might be, for example, because they are disqualified under safeguarding legislation from working with children and/or adults at risk.

### 6.6.3 Which details must be included in the serious incident report?

- Identification of the person who is reporting, his/her connection to the EY Foundation, and the authority that the person has to report on behalf of the charity's trustees (it is most likely to be a Designated Safeguarding Officer);
- Who in the board of trustees is aware of the incident;
- What happened and when did the EY Foundation first become aware of it;
- The action which has been taken or will be taken to deal with the incident and prevent future problems;
- Whether and when it has been reported to the police or another regulator/ statutory agency (including official reference numbers);

### 6.6.4 What happens next?

The Commission will let the charity know that it has received the report. It will assess the nature and level of any risks and look at how the charity is dealing with the incident, and may take steps to verify the details, for example by contacting the police. Once the Commission has completed this assessment, it will let the charity know the outcome.

## 6.7 Keeping a record of concerns

The Designated Safeguarding Officer for child protection will provide a form to record the concern and how it is dealt with. The relevant sections of the form should be completed and signed at each stage of the procedure. It can be used to forward information to the statutory child protection authorities if a referral to them is needed.

The form should be signed and dated by all those involved in its completion and kept confidentially on the child's file. The name of the person making the notes should be written alongside each entry. Records are kept in a secure e-folder which only Designated Safeguarding Officers have access to. The Chief Executive, Deputy Chief Executive or Chief Financial Officer of the EY Foundation will be notified by Designated Safeguarding Officers of any child protection concerns and any course of action to be followed, although details will not be disclosed. The Chief Executive, Deputy Chief Executive or Chief Financial Officer will also notify the EY Foundation Chair, Patrick Dunne, and Trustee for Child Protection, Lyn Cole within 24 hours. They will inform the wider EY Foundation board as appropriate.

### 6.7.1 Sharing information with the Charity Commission

In the event of a serious safeguarding incident being reported to the Charity Commission, the EY Foundation follows the Privacy Notice published by the Commission, which states that:

*"It is important to understand that in certain circumstances, and only where it is necessary to do so, the Commission has the power to collect, process and further disclose personal information without your knowledge and consent."*

*"We will collect personal data from organisations you are involved with, for example when an annual return is filed or a serious incident is reported."*

*"in the course of an investigation into apparent misconduct or mismanagement or in response to a request for information from a member of the public we may use information received in respect of an application for charity registration, decisions we make on the eligibility/suitability of an individual to act in the administration of a charity, or for approval for a specific step; or information provided to us pursuant to a legal obligation (for example accounts or reports of serious incidents)."*

You can find out more about the personal data the Charity Commission process in the full Personal Information Charter available on-line using the following link:

<https://www.gov.uk/government/organisations/charity-commission/about/personal-information-charter#privacy-notice>

## 6.8 Contact details

A minimum of two DSO's will be available at all times to contact during the delivery of a programme.

EY Foundation team	Name	Contact
<b>Lead Designated Safeguarding Officer</b>	Jodie McNally	0161 333 3000 or 07342 022130
<b>Designated Safeguarding Officer</b>	Lynne Peabody	0207 951 5803 or 07468 740282
<b>Designated Safeguarding Officer</b>	Anu Atewologun	0207 7830611 or 07504 632451
<b>Designated Safeguarding Officer</b>	Robert Pope	0207 9513133 or 07798 928419
<b>Designated Safeguarding Officer</b>	Anita Chouhan	0161 333 3000 or 07500 028402
<b>Designated Safeguarding Officer</b>	James Dundas	0141 226 7359 or 07469 036 520
<b>Designated Safeguarding Officer Deputy Chief Executive</b>	Margaret Gibson	0141 226 7493 or 07764 261091
<b>Chief Executive</b>	Maryanne Matthews	0207 951 8448 or 07920 813081
<b>Chief Financial Officer</b>	Mark Smith	0207 980 9117 or 07970 950225

Location	Local Authority Children's Social Care Department	Local Authority Adult Social Care Department
<b>Aberdeen</b>	01224 306877	01224 522 055
<b>Birmingham</b>	0121 303 1888	0121 303 1234
<b>Bradford</b>	01274 437500	01274 431010
<b>Bristol</b>	0117 903 6444	0117 922 2700
<b>Cambridge</b>	0345 045 5203	0345 045 5202
<b>Edinburgh</b>	0800 731 6969	0131 200 2324
<b>Exeter</b>	0345 155 1071	0345 1551 007
<b>Glasgow</b>	0141 287 0555	0141 287 0555
<b>Hull</b>	01482 448 879	01482 616 092
<b>Inverness</b>	01463 883795	01463 703483
<b>Leeds</b>	0113 376 0336	0113 222 4401
<b>Liverpool</b>	0151 233 3700	0151 233, 3800
<b>London</b>	020 7525 1921	020 7525 3324
<b>Luton</b>	01582 547653	01582 547730
<b>Manchester</b>	0161 234 5001	0161 234 5001
<b>Newcastle</b>	0191 277 4636	0191 278 8377
<b>Reading</b>	0118 937 3641	0118 937 3747
<b>Southampton</b>	0845 603 5620	023 8083 3003

Other useful contacts	Phone	Internet
<b>NSPCC Hotline</b>	0808 800 5000	help@nspcc.org.uk
<b>Childline</b>	0800 1111 (textphone 0800 400 222)	www.childline.org.uk

## 6.9 Dealing with allegations involving EY Foundation staff and/or volunteers, trustees and young people

6.9.1 This procedure outlines what should happen if an allegation is made against an adult working for or involved in the EY Foundation. This procedure also applies where an allegation is made against another young person on the programme. Please also refer to the EY Whistleblowing policy, which is referenced later on in this document.

6.9.2 This procedure applies to:

- any member of staff, volunteer or trustee to whom an allegation of abuse has been made, that involves another member of staff, volunteer, trustee or young person
- anyone in a managerial position (including the named person for child protection, line managers, supervisors and trustees) who may be required to deal with such allegations and manage investigations that result from them.

6.9.3 Concerns about staff, trustees, volunteers and other young people must be treated with the same rigor as other child protection concerns. If a concern or allegation of abuse or inappropriate conduct is made against a member of staff, or a person in a position of trust, or there is suspicion regarding a member of staff's, trustee's, volunteer's or young person's conduct, with regard to children, they must be reported immediately to a Designated Safeguarding Officer. If the allegation or suspicion concerns a Designated Safeguarding Officer, then contact Maryanne Matthews, Chief Executive of the Foundation. If the allegation or suspicion concerns the Chief Executive, then contact Patrick Dunne, Chair of the EY Foundation.

6.9.4 The aims of this procedure are:

- to ensure that children who participate in the EY Foundation programmes, are protected and supported following an allegation that they may have been abused by an adult from within the EY Foundation, or another young person on the programme
- to ensure that there is a fair, consistent and robust response to any allegations made, so that the risk posed to other children by an abusive individual is managed effectively
- to facilitate an appropriate level of investigation into allegations, whether they are said to have taken place recently, at any time the person in question has been employed by/volunteered with the EY Foundation or prior to the person's involvement with the EY Foundation (i.e. if it comes to attention whilst the person is working on behalf of the EY Foundation)
- to ensure that the EY Foundation continues to fulfil its responsibilities towards members of staff, volunteers, trustees or young people who may be subject to such investigations, for example giving consideration to the provision of appropriate support during and after the investigation
- to ensure that individuals are able to continue in their role if they have been at the centre of allegations that are unfounded or deemed to be malicious in origin.

6.9.5 There are potentially three issues that need to be dealt with as a matter of urgency:

*1. Is a child in immediate danger or does she/he need emergency medical attention?*

If yes, follow the same procedure as identified in section 6.5 above.

*2. Is the person at the centre of the allegation another young person on an EY Foundation programme?*

If this is the case, the concern needs to be discussed immediately with the Chief Executive of the Foundation or the Deputy Chief Executive/ Chief Financial Officer in her absence and a Designated Safeguarding Officer

for child protection. One of these should then contact EY HR and the school/youth provider (where relevant) and, in a sensitive manner, the EY Foundation may suspend the young person from the programme until the allegation is investigated and the agreed way forward on whether the young person continues on the programme or is permanently removed.

The information provided to him/her may need to be very limited. This is because discussions need to take place first with other agencies who may need to be involved, such as the local authority children's social care department, the police or the local authority designated officer (LADO). The police and children's social care department may have views on what information can be disclosed to the person.

As the allegation is against an EY employee, EY HR should be kept informed.

### *3. Is the person at the centre of the allegation working with children now?*

If this is the case, the concern needs to be discussed immediately with the Chief Executive of the Foundation or the Deputy Chief Executive/ Chief Financial Officer in her absence and a Designated Safeguarding Officer for child protection. One of these should then, in a sensitive manner, remove the staff member involved in the allegation from direct contact with children.

The information provided to him/her at this stage may need to be very limited. This is because discussions need to take place first with other agencies who may need to be involved, such as the local authority children's social care department, the police or the local authority designated officer (LADO). The police and children's social care department may have views on what information can be disclosed to the person.

If the volunteer, staff or trustee is an EY member of staff, EY HR should be informed.

If the volunteer, staff or trustee is not an EY member of staff, the Foundation may make a referral to their current employer (where applicable).

#### 6.9.6 Taking disciplinary action

Where the allegations are particularly serious or there is no doubt that an offence has been committed the police and/or children's social care will be informed within one working day of the allegation being reported. A strategy for further action will then be agreed before a decision is taken as to notifying the staff member/trustee/volunteer/young person.

If the initial allegation does not involve a possible criminal offence, the Designated Safeguarding Officers and EY Foundation Chief Executive or the Deputy Chief Executive/ Chief Financial Officer in her absence should still consider whether formal disciplinary action is needed.

If the local authority children's social care department has undertaken any enquiries to determine whether a child or children are in need of protection, the Designated Safeguarding Officers should take account of any relevant information from these enquiries when considering whether disciplinary action should be brought against the person at the centre of the allegations.

Where the employer is EY, investigations and disciplinary action will be conducted by the EY HR team. If the volunteer, staff or trustee is not an EY member of staff, the Foundation may make a referral to their current employer (where applicable).

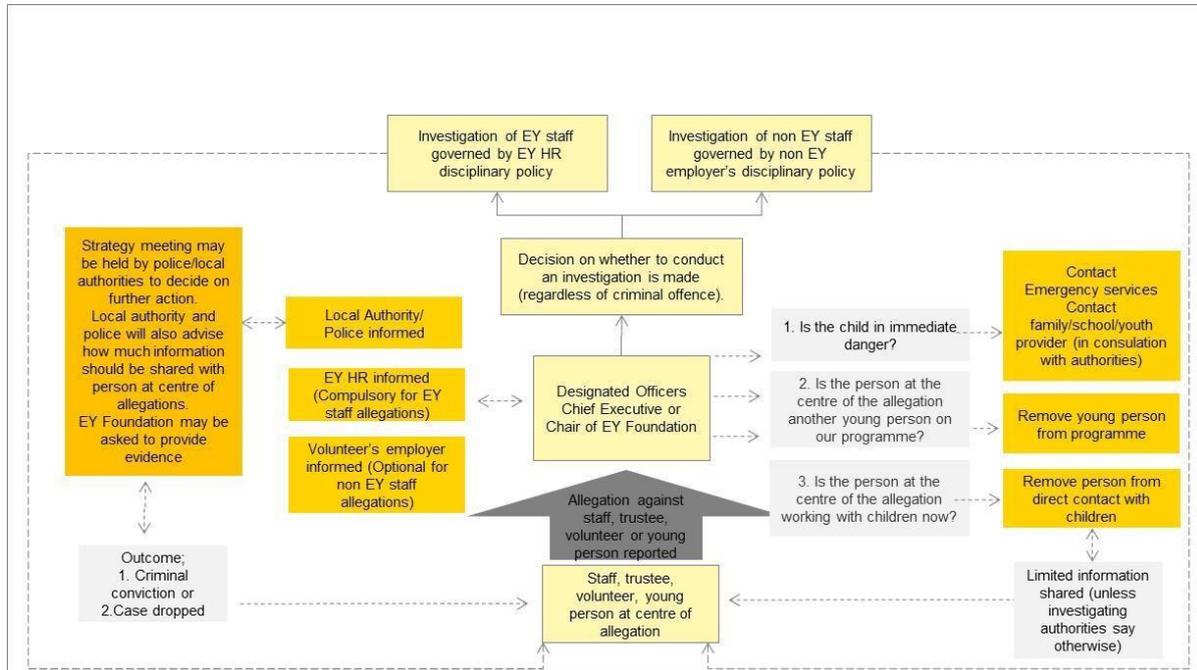
#### 6.9.7 Talking to parents about the allegation or concern

If the child's parents/carers do not already know about the allegation, the named person for child protection and the LADO need to discuss how they should be informed and by whom.

#### 6.9.8 Following an allegation

If the allegation is substantiated and if, once the case is concluded, the EY Foundation or EY dismisses the person or ceases to use their services, or the person ceases to provide his/her services, the named person should consult with the LADO about referral of the incident to the Disclosure and Barring Service (DBS). This should take place within a month.

#### 6.9.10 Process for dealing with an allegation



### 6.9.11 Keeping a record of the investigation

All those involved in dealing with the allegation should keep clear notes of the allegations made, how they were followed up, and any actions and decisions taken, together with the reasons for these.

These notes should be compiled gradually as the situation unfolds, with each entry being made as soon as possible after the event it describes. The notes should be signed and dated by the person making them, and the person's name should be printed alongside.

The notes should be kept confidentially on the file of the person who is the subject of the allegation. Discussion should take place with the LADO to determine whether any aspects of the notes may not be shared with the person concerned. If there are no reasons not to do so, a copy of the records should be given to the individual.

The notes should be held on file in accordance with section 11 of this policy.

## 7. Our e-safety policy

**7.1** This policy and the procedures that it underpins apply to all staff, including senior managers and the board of trustees, paid staff, volunteers and seasonal workers, agency staff, students and anyone working on behalf of the EY Foundation:

- to protect children and vulnerable adults who receive EY Foundation's services and who make use of information technology (such as mobile phones, games consoles and the Internet) as part of their involvement with us
- to provide staff, trustees and volunteers with the overarching principles that guide our approach to e-safety
- to ensure that, as an organisation, we operate in line with our values and within the law in terms of how we use information technology.

**7.2** We recognise that:

- the welfare of the children/young people who come into contact with our services is paramount and should govern our approach to the use and management of electronic communications technologies
- all children, regardless of background, education, gender, ethnicity, nationality, generation, age, working and thinking styles, religious background, sexual orientation, ability and technical skills have the right to equal protection from all types of harm or abuse
- working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare and in helping young people to be responsible in their approach to e-safety
- the use of Information and Communications Technology (ICT) is an essential part of all our lives; it is involved in how we as an organisation gather and store information, as well as how we communicate with each other. It is also an intrinsic part of the experience of our children and young people, and is greatly beneficial to all. However, it can present challenges in terms of how we use it responsibly and, if misused either by an adult or a young person, can be actually or potentially harmful to them.

**7.3** We will seek to promote e-safety by:

- appointing an e-safety coordinator
- developing a range of procedures that provide clear and specific directions to staff and volunteers on the appropriate use of ICT
- supporting and encouraging the young people using our service to use the opportunities offered by mobile phone technology and the internet in a way that keeps themselves safe and shows respect for others
- supporting and encouraging parents and carers to do what they can to keep their children safe online and when using their mobile phones and game consoles;
- incorporating statements about safe and appropriate ICT use into the codes of conduct both for staff and volunteers and for children and young people
- use our procedures to deal firmly, fairly and decisively with any examples of inappropriate ICT use, complaints or allegations, whether by an adult or a child/young person (these may include breaches of filtering, illegal use, cyberbullying, or use of ICT to groom a child or to perpetrate abuse)
- informing parents and carers of incidents of concern as appropriate
- reviewing and updating the security of our information systems regularly
- providing adequate physical security for ICT equipment
- ensuring that user names, logins and passwords are used effectively
- using only official email accounts provided via the organisation, and monitoring these as necessary
- ensuring that the personal information of staff, volunteers and service users (including service users' names) are not published on our website
- ensuring that images of children, young people and families are used only after their written permission has been obtained, and only for the purpose for which consent has been given
- any social media tools used in the course of our work with children, young people and families must be risk assessed in advance by the member of staff wishing to use them;
- providing effective management for staff and volunteers on ICT issues, through supervision, support and training

- examining and risk assessing any emerging new technologies before they are used within the organisation
- asking all staff and volunteers not to communicate with young people through personal social media platforms, e.g. not accepting them as friends on websites such as Facebook, or switching privacy settings on websites such as Twitter or Instagram so that follower requests can be declined.

The names of our e-safety coordinators are Nikita Chadha (020 7951 2511) and Priya Singam (020 7980 9330).

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

This policy was last reviewed on: May 2020

## 8. Photography policy

**8.1** When taking and using photographs of young people, the guidance below should be followed:

(\*Young people for the purposes of this section refers to children and vulnerable adults).

- avoid using young person's full names (first name only) in photograph captions
- use a parental/carer permission form to obtain consent for a young person to be photographed/videoed (see attached)
- obtain young person's permission to use their image
- only use images of young people in suitable dress to reduce the risk of inappropriate use. Some activities – swimming, drama, gymnastics and athletics for example – present a much greater risk of potential misuse
- address the use of images of young people on the EY Foundation website Images accompanied by personal information, e.g., this is X who likes to collect stamps – could be used by an individual to learn more about a young person prior to grooming them for abuse
- written expectations of professional photographers or the press who are invited to an event, making clear the organisation's expectations of them in relation to child protection.
- do not allow photographers unsupervised access to young people
- do not approve photography sessions outside the event or at a young person's home.

### Sample consent form (parents/carers and children):

Photography, quotes and short videos are the way the EY Foundation spreads the word about our programmes (Smart Futures/Our Future/Care to Employment) and means we can help more young people. That's why we'd like to ask for your agreement to be in photos, videos and to use quotes you have given for our communications.

**PLEASE NOTE** : This form **MUST** be hand signed

#### Release form – quotes and photos

I, \_\_\_\_\_, hereby give my consent to the use of the quotes and information provided and photographs and I hereby confirm that such consent shall extend to all purposes in all media for the full period of the copyright (which will remain the property of EY Foundation and Ernst & Young LLP) and therefore in so far as possible in perpetuity.

I hereby give consent for all purposes of The Copyright Designs and Patents Act (1989) as may be amended from time to time.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

#### Parental/carer consent

I provide consent to the use of photos and information of my child(ren) under the same terms as stated above.]

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

#### Release form - film

I, \_\_\_\_\_, hereby give my consent to the filming and recording of my appearance in the above mentioned film and (subject to terms of any applicable industry agreement, but otherwise without restriction) hereby confirm that such consent shall extend to my

appearance in said video for any and all purposes in all media for the full period of the copyright (which will remain the property of Ernst & Young LLP) and therefore in so far as possible in perpetuity.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Parental/carer consent :**

I also provide consent to the filming and recording of my child(ren) in the above mentioned film under the same terms as stated above.]

I hereby give consent for all purposes of The Copyright Designs and Patents Act (1989) as may be amended from time to time.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## 9. Whistle-blowing Policy

During the course of your engagement with the EY Foundation, you may become aware of conduct which you either know or suspect is unlawful or otherwise unacceptable. You may have noticed the conduct yourself or you may have been contacted by a whistleblower. The EY Foundation has a Whistleblowing policy which can be accessed via our website or via the EY Foundation team.

## 10. Confidentiality Policy

**10.1** Information sharing is key for improving outcomes for all children. It is essential to enable early intervention and preventative work for safeguarding children and for wider public protection. Staff, trustees or volunteers who have contact with children must understand what to do and the most effective ways of sharing information. This is particularly relevant if they believe a child is in need, including children at risk of suffering harm.

**10.2** If an EY Foundation staff member, trustee or volunteer believes that a young person\* may be at risk of, or is suffering, significant harm and that they need to refer them to the Designated Safeguarding Officers, they need to consider whether they have a duty of confidentiality to the young person. If this is so, they may share information if they have the consent of the young person or if they believe, based on their professional judgment that the sharing of information is in the public interest.

(\*Young people for the purposes of this section refers to children and vulnerable adults).

**10.3** Any concerns should also be discussed with the family and if possible their agreement should be sought, unless this would put the young person at increased risk of significant harm, or if it would undermine any possible criminal investigation. This should be done in consultation with the Designated Safeguarding Officer.

**10.4** If the professional needs to share information and cannot get consent they must consider, on the facts of each case, whether it is in the public interest to share all or some of the information they have. The key factors to consider are necessity and proportionality, "i.e. whether the proposed sharing is likely to make an effective contribution to preventing the risk and whether the public interest in sharing information overrides the interest in maintaining confidentiality."

**10.5** Some circumstances in which the sharing of confidential information without consent would normally pass the public interest test are:

- "when there is evidence or reasonable cause to believe that a child is suffering, or is at risk of suffering, significant harm
- to prevent significant harm to a child....., including through the prevention, detection and prosecution of serious crime."

If a professional is unsure of what constitutes "reasonable cause to believe" they should discuss their concerns either with their Designated Safeguarding Officer(s). Concerns should always be acted upon and any decision on whether to share information or not should always be recorded.

**10.6** Any information shared should always be accurate, up to date, shared appropriately and securely: only with the person or people who need to know and limited to information relevant to purpose.

**10.7** In Wales, guidance about information sharing is contained in Chapter 14 of **Safeguarding children: working together under the Children Act 2004**, paragraph 14.5 broadly overlaps with the guidance for professionals in England in stating that, "the safety and welfare of a child or young person must be the first consideration when making decisions about sharing information about them" and that there must be, "an overriding public interest in disclosing information." However, paragraph 14.6 also advises that, "the best way of ensuring that information sharing is properly handled is to work within carefully worked out information-sharing protocols between the agencies and professionals involved, and taking legal advice in individual cases where necessary."

**10.8** In Scotland, the **National guidance for child protection** sets out the legal provisions concerning confidentiality and consent, but emphasises that "If a child's wellbeing is considered to be at risk, relevant information must always be shared".

## 11. Policy on the secure handling, storage, retention and destruction of child protection records

EY Foundation will process any personal data related to children in accordance with the Data Protection Act 1998, and any other relevant legislation.

The Data Protection Act establishes eight rules of good information handling which organisations using personal information are required to observe; these rules are known as the 8 Data Protection Principles and stipulate that personal information should be:

- processed fairly and lawfully
- obtained and used for specific purposes
- adequate, relevant and not excessive
- accurate
- not kept for longer than is necessary
- processed in line with a person's rights
- secure
- not transferred to non-UK countries without adequate protection.

EY Foundation will process any personal information related to safeguarding children in accordance with these Principles.

The EY Foundation's Data Protection policy can be found on our website or via the EY Foundation team and is in line with the EY Data Protection Policy (this can be found at <http://www.ey.com/UK/en/Home/Privacy-policy>) If you have questions or you do not feel that your concerns have been addressed in our privacy statement please email us at [enquiries@eyfoundation.ey.com](mailto:enquiries@eyfoundation.ey.com).

### 11.1 Safeguarding children

EY Foundation is committed to safeguarding children and developed a clear set of guidelines for handling, storage, retention and destruction of any records that relate to child safety concerns. EY Foundation has appointed two Designated Safeguarding Officers who are responsible for ensuring all incidents are recorded and appropriate action is taken if required.

### 11.2 Recording information

As per section 11.1, where there is a child protection concern, EY Foundation staff, volunteers and trustees (whether paid or unpaid) are responsible for informing a Designated Safeguarding Officer who must advise them to record the incident. Any details of safeguarding incidents involving children should be recorded in a timely manner and shared with a Designated Safeguarding Officer who will preserve their own record of the incident including involved parties, date of incident and any action taken. Following an assessment, a Designated Safeguarding Officer will make a decision if an incident should be escalated externally and reported to the local authorities or the police. It is vitally important to record all relevant details, regardless of whether or not the concerns are shared with either the police or children's social care.

### 11.3 Storage

Any information collected will be stored by EY Foundation electronically in password protected or encrypted documents with sole access to the Designated Safeguarding Officers.

### 11.4 Information Sharing

EY Foundation will not disclose personal information to any party unless for the purpose of lawful disclosure to authorities which a Designated Safeguarding Officer deemed as appropriate. Any such appropriate disclosure will be reasonable and proportionate, and it will only be made to protect an individual who is or may be at risk.

### **11.5 Record Retention and Disposal**

EY Foundation will only retain personal information related to any safeguarding incidents for as long as needed for the purpose. Any such information will be retained in accordance with EY Foundation retention and disposal policies. After such relevant retention period, any personal information will be destroyed in a secure manner.

## Appendix A: Form for recording and reporting concerns about a child or young person (copy also available from a designated safeguarding officer)

### Details of child and parents/carers

Name of child:		
Gender:	Age:	Date of birth:
Ethnicity:	Language:	Additional needs:
Name(s) of parent(s)/carer(s)		
Child's home address and address(es) of parents (if different from child's)		

### Your details

Your name:	Your position:	Date and time of incident (if applicable):
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### Reporting

Are you reporting your own concerns or responding to concerns raised by someone else? (tick box as appropriate)

- Reporting own concerns

- Responding to concerns raised by someone else

If you are responding to concerns raised by someone else, please provide their name and position within the organisation:

Name:	Position:	Email/phone:
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Please provide details of the incident or concerns you have, including times, dates, description of any injuries, whether information in first hand or the account of others, including any other relevant details:

The child's account/ perspective (in child's own words, if possible):

Please provide details of anyone alleged to have caused the incident or to be the source of any harm

Name:	Details of involvement:	Email/phone (if known):

Provide details of anyone who witnessed the incident or who shares the concerns:

Name:	Details of involvement:	Email/phone (if known):

Please note: the designated safeguarding officer should discuss concerns with the family **unless**:

- The view is that a family member might be responsible for abusing the child
- Someone may be put in danger by the parents being informed
- Informing the family might interfere with a criminal investigation.

If any of these circumstances apply, the designated safeguarding officer will consult with the local authority children's social care department to decide whether or not discussions with the family should take place.

**For completion by designated safeguarding officer only;** Have you spoken to the child's parents/carers? If so, please provide details of what was said. If not, please state the reason for this:

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Are you aware of any previous incidents or concerns relating to this child and of any current risk management plan/ support plan? If so, please give details:

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Has the situation been discussed with the named person for child protection?

Yes/ No (delete as appropriate)

If so, please summarise the discussion:

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**For completion by designated safeguarding officer only;** Have you informed the statutory child protection authorities?

**Police:** Yes/No (delete as appropriate)

Date and time:

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Name and phone number of the person you spoke you spoke to:

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**Local authority children's social care:** Yes/No (delete as appropriate)

Date and time:

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Action agreed with child protection authorities:

**For completion by designated safeguarding officer only;** What has happened since referring to statutory agency(ies)? Include the date and nature of feedback from referral, outcome and relevant dates:

If the concerns are not about child protection, details of any further steps taken to provide support to child and family and any other agencies involved:

Name..... Position.....  
Date..... Signed.....

Designated safeguarding officer.....Position.....  
Date..... Signed.....

