



Safeguarding Children

Policy:	Safeguarding Children
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Policy Owner:	Operations Manager – Community Safety and Safeguarding
Policy Author(s):	Operations Manager – Community Safety and Safeguarding
Accountable Executive:	Executive Director of Housing
Approved by:	Executive Director of Housing
Equality Assessment:	Yes
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Policy Grade:	3
For the full version history of this policy, see the back page	

Please avoid referring to printed versions of this policy.

Printed versions may quickly go out of date – the latest version will be on the Policy Hub or contact the Governance Team. For support and advice regarding the policy, please contact the Policy Owner.

1.0 Introduction and Scope

- 1.1 This document covers our policy on Safeguarding Children. The policy should be read in conjunction with the Safeguarding Children Toolkit and aims to provide clear direction to staff and others about expected behaviour in dealing with child safeguarding issues.
- 1.2 The purpose of the policy is, therefore, to ensure that safeguarding concerns and referrals are handled sensitively, professionally and in ways that support the needs of the child or young person.
- 1.3 The National Housing Federation (NHF) Code of Governance 2020 outlines that Boards should seek assurance on the requirements in relation to Safeguarding. This policy forms part of that assurance.

- 1.4 The scope of this policy covers:

Gentoo Group	X
Gentoo Homes	
Gentoo Developments	
Gentoo Genie	

- 1.5 It applies to:

General Needs rented properties	X
Supported Housing	X
Sheltered Housing	X
Leasehold/Shared ownership	X
Rent to Buy properties	X
Market rented properties (domestic)	X
Temporary Accommodation	X
Stock owned but not managed by the Group	X
Communal Areas, including those relating to Leasehold/Shared Ownership properties	X
Commercial Property (offices, depots etc)	X
Stock managed by Gentoo on behalf of a third party	X
Garages and outbuildings	
Remote plant (district heating, electrical pumps etc)	
Curtilage	

2.0 Our core purpose and vision and priorities

Our core purpose is to provide safe and decent homes for our customers of today and tomorrow.

Our vision is to provide great homes, strong communities, and inspired people for Sunderland.

The safety of our customers and colleagues will always be our number one priority.

We have identified six further priorities which will guide the delivery of our services.

We live our values in everything we do from the boardroom to the front room, to deliver our priorities for our customers.

- We know our customers.
- We provide great homes.
- We help communities to thrive.
- We are a great place to work.
- We spend our money wisely.
- We are well governed.

Our values are what we stand for and what we want to be known for. They are what makes us, us.

- We care about people.
- We take accountability.
- We shape the future.
- We bring leadership.
- We deliver.

2.1 This Policy operates within our Vision and Values and links to the Safeguarding Adults at Risk Policy and Toolkit, Hoarding Toolkit, Data Protection Policy, Domestic Abuse Policy and Community Safety Toolkit.

3.0 Regulation and Legislation

3.1 The Executive Director of Housing will ensure this policy has regard to all legislation, regulation, and best practice by seeking independent expert advice. The regulation and legislation applicable to this policy is attached in Appendix 1.

4.0 Our Policy Statement

- 4.1 Gentoo regards the safeguarding and protection of children/young people as paramount within all its activities whether this involves direct or indirect contact with children/young people.
- 4.2 Staff, volunteers and board members may regularly come into contact with children/young people as part of the Group's organised activities e.g., during volunteering programmes, as part of the regular housing and neighbourhood management functions, or during our support role. Managers within Gentoo, in conjunction with HR, will decide whether checks are necessary and at what level these checks should be undertaken. The Group will ensure that its activities, staff, and volunteers as well as its procedures take account of the welfare of children and young people.
- 4.3 Gentoo does not operate in isolation. Safeguarding children and young people is the responsibility of all adults and especially those working with children.
- 4.4 Gentoo staff are encouraged to recognise and report anything that does not seem right, and this will be sent to the relevant team for further investigation if necessary. However, if necessary, they also may have to act immediately to prevent any further harm from occurring such as contacting the Safeguarding Team or their line manager for further advice and guidance
- 4.5 Gentoo's aim is to help protect the children for whom we have responsibility as part of our group functions and work consistently and appropriately with safeguarding agencies/authorities.
- 4.6 The work undertaken by Gentoo is increasingly diverse and of a cross boundary nature. The policy therefore acts in accordance with national legislation, guidance and good practice implemented locally by the Sunderland Safeguarding Children Partnership (SSCP).
- 4.7 Whilst SSCP has a role in co-ordinating and ensuring the effectiveness of local individuals and organisations work to safeguard and promote the welfare of children, it is not accountable for their operational work. This means that Gentoo Group retains accountability for safeguarding and promoting the welfare of children through our services.
- 4.8 Gentoo is committed to respond in accordance with the SSCP procedures in all cases where there is a concern about significant harm.
- 4.9 This policy and accompanying toolkit covers the range of interactions the group has with children and young people and recognises the three overarching principles of **prevention, protection and support**.
- 4.10 We are committed to the principles of diversity and inclusion throughout the organisation and aim to:

- Meet the needs and choice of people from all backgrounds
- Ensure that our services are relevant, responsive and sensitive to the needs of our existing and future customers
- Ensure that all sections of the community in which we work have equal access to our services.

4.11 Our Safeguarding Children Policy will ensure that customers are treated as individuals with fairness and respect. An Equality Assessment has been completed on this policy.

5.0 Roles and Responsibilities

5.1 As a Housing Association, we have a statutory responsibility to comply with all relevant regulation and legislation in relation to safeguarding children.

5.2 The Executive Director of Housing is accountable for ensuring this policy has regard to all legislation, regulation and best practice and for ensuring implementation of this policy effectively. Gentoo will also have representation on the Sunderland Children Safeguarding Partnership.

5.3 The Executive Director of Housing is also accountable for adequate resourcing and having effective processes in place to implement the policy.

5.4 The Associate Directors of Housing and Heads of Operations are responsible for the day-to-day delivery of this policy but more specifically, the Operations Manager (Community Safety and Safeguarding) is the operational lead.

5.5 All Gentoo Staff are responsible for familiarising themselves with this policy and accompanying toolkit and for reporting any concerns they have around safeguarding children and as a minimum must have completed the internal E-learning training.

5.6 Gentoo staff should attend safeguarding meetings where relevant and see cases through to their conclusion.

6.0 Escalation

6.1 Where the Board or any Board member has concerns about significant issues in any area of compliance with the safeguarding children policy and toolkit, they must escalate these concerns to the Executive Director of Housing and the Chair of the Board.

6.2 Where a member of staff has concerns about significant issues in any area of compliance with safeguarding children, they must escalate these concerns through their line management structure, ultimately to the Group Executive Team.

- 6.3 Where a member of staff continues to have concerns about significant issues in any area of compliance with safeguarding children, they should refer to the Group Whistleblowing Policy for further guidance.

7.0 Monitoring and Review

- 7.1 This policy will be reviewed every 3 years or in line with business need or changes in legislation.
- 7.2 This policy may be subject to an audit in line with the internal audit plan.
- 7.3 The toolkit will be regularly reviewed and updated where appropriate, drawing on external expertise where required.
- 7.4 This Policy is Grade 2 and changes require the approval of the Executive Director of Housing and the Executive Director of Corporate Services.

8.0 Policy Outcomes

- 8.1 Our policy aims to achieve the following outcomes:
- 8.2 **Prevention** – by providing a positive atmosphere, providing training to raise awareness, providing appropriate support and good adult role models in our contact with children/young people.
- 8.3 **Protection** – by all staff being recruited, trained and supported to follow Gentoo’s Safeguarding Policy and respond effectively to any suspicions of significant harm and understand their accountability with regard to safeguarding children.
- 8.4 **Support** – by looking after all staff who have handled suspicions/disclosures as well as support for children/young people Gentoo come into contact with who may have been abused. Gentoo will ensure that support from outside the organisation is sought where appropriate.

9.0 Confidentiality

- 9.1 We will treat all information received in a private and confidential manner as far as possible but if we believe a child is at risk there may be situations where we cannot do this.
- 9.2 We will only disclose information to perpetrators, legal representatives, or other third parties once we have the consent of the complainant to do so.
- 9.3 We may, however, have a legal obligation to pass information on, for example to the Police or Children’s Services or other statutory agencies.

10.0 Data Protection

10.1 This policy fully complies with the Group's Data Protection Policy.

11.0 Modern Slavery

11.1 Gentoo take a zero-tolerance approach to human trafficking and slavery. Modern slavery encompasses human trafficking, forced labour and domestic servitude which are all a form of abuse and must be dealt with as a Category 1, which is our highest priority. Gentoo carry out customer surveys which aim to ensure that the legal tenant and their household are living in the property and that it is not being used for illegal purposes, which includes human trafficking and slavery.

12.0 Records

12.1 All safeguarding referrals and information relating to attendance at meetings is recorded on Streetwise. This information is not available for all staff to see but is limited to the Safeguarding team and the local management teams at NOM level and above. All correspondence with agencies regarding safeguarding should be forwarded to the Safeguarding Team who will ensure that a copy is stored in a central location (Streetwise).

13.0 Qualifications and training

13.1 All new staff will be given initial induction training on our Safeguarding Children Policy and Toolkit. Mandatory staff training is carried out annually to relevant staff (including depot staff) to remind them of their obligation to alert the safeguarding team to any concerns they may have and how they should communicate this alert.

13.2 Staff have access to the [SSCP website](#) which provides information associated with child protection and includes advice and guidance for staff working with children and young people.

13.3 Managers across the group need to identify staff who will have interaction with children and young people within their job role. It is the managers' responsibility to ensure that their staff receive the necessary training and to inform Human Resources if staff require a Disclosure and Barring Service (DBS) check.

Version Control

Version	Reason	Issuer	Date
2.0	Approved.	Julie Lister	2017
2.0	Amended format.	Sarah Treadwell	22/03/2018
2.1	Changed names to job titles and added accountable ED.	Sarah Treadwell	07/10/2019
2.2	Draft for review.	Julie Lister	16/12/2020
2.3	Changes made after discussions with Carol Long, Susie Thompson, Julie Walker and Julie Lister.	Julie Lister	21/12/2020
3.0	Approved.	Julie Lister	11/01/2021
4.0	Job titles amended. Policy reviewed to bring in line with review of Safeguarding Adults (audit recommendation). Inc Julie Walker's amends. Sent to Tenants Voice Team for comments, no suggestions to change or add anything.	Julie Lister	19/10/2021
4.1	Updated core purpose and vision and priorities	Catherine Loftus	31/08/2023

Appendix 1

Regulation and Legislation

In fulfilling our obligations under this Policy, Gentoo will comply with all legislation and regulations as appropriate. This section aims to highlight the different areas of law and guidance, which may be of particular significance to Safeguarding Children.

This is a general overview and should not be used as a substitute for seeking legal advice in specific cases. If there is any doubt about the law relevant to a particular case, legal advice should be sought immediately from the Legal team.

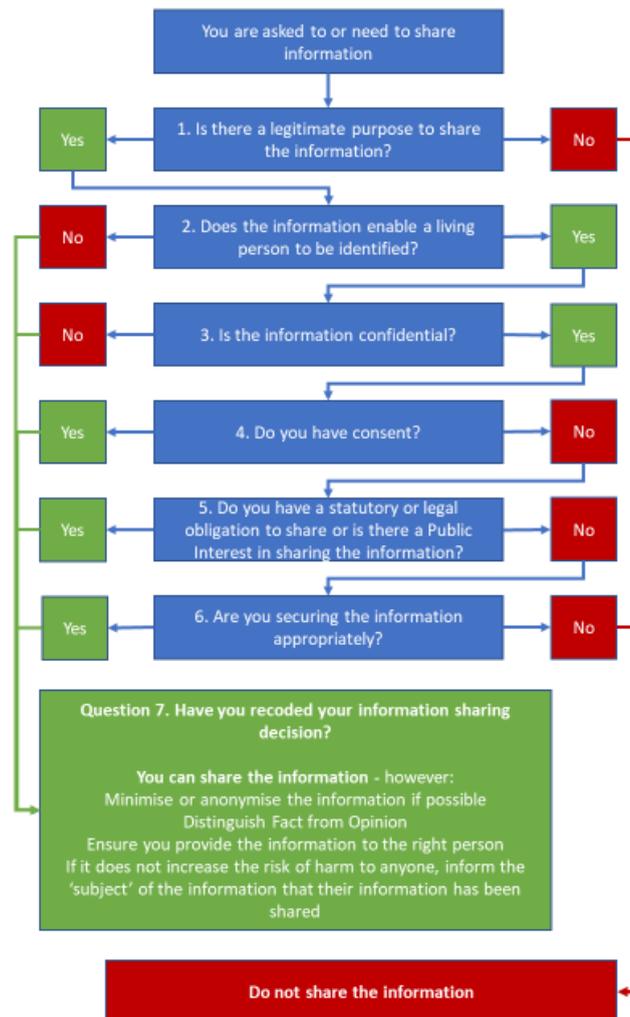
- Children Act 1989
- Children Act 2004
- Children and Social Work Act 2017
- Working Together to Safeguard Children – a guide to multi agency working 2018
- Sunderland Safeguarding Children Partnership Procedures
- GDPR 2018
- Sexual Offences Act 2003
- Safeguarding Vulnerable Groups Act 2006
- Equality Act 2010
- Care Act 2014
- Anti-Social Behaviour Crime and Policing Act 2014
- Housing Act 1988, 1996 & 2004.
- Domestic Abuse Act 2021.

Gentoo has a suite of complementary policies and toolkits which staff may refer to in cases where there are cross cutting concerns, these include (but are not limited to):

- Safeguarding Adults at Risk Policy & Toolkit
- Community Safety Policy & Toolkit
- Domestic Abuse Policy & Toolkit
- Forced Marriages Toolkit
- Hate Incidents Toolkit
- Vulnerability Toolkit
- Whistle Blowing Policy & Toolkit

Appendix 2

Information Sharing – Community Safety Team All requests to share information related to safeguarding must be referred to the Community Safety Team.



You are asked to or wish to share information.

Question 1 - Is there a clear and legitimate purpose for sharing information?

- Ensure there is a good enough reason to share the information?
- What is the outcome you are trying to achieve?
- Could the aims be achieved without sharing the information at all?
- Could the aims be achieved by anonymising the information, or minimising (reducing the amount of) the information shared?

Golden Rule - Remember that the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.

Other things to consider:

- Do not assume that you need to share the whole case file.
- Different agencies may have different processes for sharing information.

You will need to be guided by Gentoo's Data Protection Policy and Procedure, the Group's Code of Conduct and the code of conduct specifically relating to working with young people set out in this policy.

Question 2 - Does the information enable a living person to be identified?

If the information is about an identifiable living individual or could enable a living person to be identified when considered with other information, then it is classed as personal information under the Data Protection Act and subject to Data Protection law. This is likely to be the case in the course of your work. You should be open about what information you might need to share and why. However, it may not be appropriate to inform a person that information is being shared or seek consent to this sharing. This is the case if informing them is likely to hamper the prevention or investigation of a serious crime or put a child at risk of significant harm or an adult at risk of serious harm. Golden Rule - Be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is safe or inappropriate to do so.

Other things to consider:

- If the person was informed about how and with whom their personal information might be shared at the outset, it will usually not be necessary to inform them again as long as the use as described in the original notification is the same.

Question 3 - Is the information confidential?

- Not all information is confidential
- Confidential information is information of a private or sensitive nature that is:
 - not already lawfully in the public domain or readily available from another public source; and

- had been provided in circumstances where the person giving the information could reasonably expect that it would not be shared with others.

Golden Rule - Seek advice from the **Community Safety Team** if you are in any doubt, without disclosing the identity of the person where possible.

If the information is not confidential you must now consider question 6.

If the information is confidential you must now consider question 4.

Question 4 - Do you have consent to share?

- You should seek consent where possible and respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement on the facts of the case, that lack of consent can be ignored due to the 'public interest' i.e. it is important that others are aware of the information as withholding it would potentially put others in danger.
- You do not always need consent to share personal information. There will be some circumstances where you should not seek consent, for example, where doing so would:
 - place a child at increased risk of significant harm; or
 - place an adult at increased risk of serious harm; or
 - prejudice the prevention, detection or prosecution of a serious crime; or
 lead to unjustified delay in making enquiries about allegations of significant harm or serious harm.

Golden Rule - Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.

Other things to consider:

Generally, there should be 'no surprises'. Obtaining explicit consent is best practice. It can be expressed either verbally or in writing, although written consent is preferable since that reduces scope for subsequent dispute. You will need to consider whose consent should be sought. Does the person have the capacity to understand and make their own decisions on this occasion? If not, is someone else authorised to act on their behalf? Consent must be informed, i.e. when people

agree to information sharing, they must understand how much of their information needs to be shared, who will see it, why it is necessary to share the information and any implications of sharing or not sharing.

Consent can be withdrawn at any time – if someone consents to sharing information and changes their mind, you should aim to respect their wishes. That said, there are still circumstances whereby you may still need to share information without someone's consent as discussed in Question 4, however in this case, they have previously provided it and withdrawn it. You would need to acknowledge their request to remove consent, and then revisit Question 4 and 5 to see if you should continue to allow it to be shared.

Question 5 – Do you have a statutory or legal obligation to share the information, or do you think there is sufficient public interest to share the information (i.e., it's in the Public's interest to share it)?

- Even where you do not have consent to share confidential information, you may lawfully share if this can be justified in the public interest. Where consent cannot be obtained or is refused, or where seeking it is unsafe or inappropriate (as explained at Question 4), the question of whether there is sufficient public interest must be judged by the practitioner on the facts of each case. A public interest request to share information can arise in a wide range of circumstances.
- Where you have a concern about a person, you should not regard refusal of consent to automatically mean that you cannot share confidential information.
- In making the decision you must weigh up what might happen if the information is shared against what might happen if it is not, and make a decision based on professional judgement.

Golden Rule - Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.

Other things to consider:

A competent adult has the right to make decisions which may put themselves at risk but which present no risk of significant harm to children or serious harm to other adults. In this case it may not be justifiable to share information without consent.

If you decide not to share information you must consider Question 7.

If you decide to share information you must consider Question 6.

Question 6 - Are you sharing information appropriately and securely?

Only share what is necessary to achieve the purpose, distinguishing clearly between fact and opinion.

Ensure you have not simply 'hidden' information in a spreadsheet, where someone can 'unhide' it.

Share only with the person or people who really need to know the information. Make sure the information is accurate and up to date.

- Understand the limits of any consent given and especially if the information has been provided by a third party.
- Check who will see the information and share the information in a secure way. For example, confirm the identity of the person you are talking to; ensure a conversation or phone call cannot be overheard; use secure email; ensure that the intended person will be on hand to receive a fax.
- Establish with the recipient whether they intend to pass it on to other people and ensure that they understand the limits of any consent that has been given.
- Inform the person to whom the information relates that you are sharing the information, if it is safe to do so, and if you have not already told them that their information may be shared.

Golden Rule - Necessary, proportionate, relevant, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up to date, is shared in a timely fashion, and is shared securely.

Question 7 - Have you properly recorded your information sharing decision?

- Record your information sharing decision and your reasons, including what information you have shared and with whom, following the Group's arrangements for recording information and in line with any local information sharing procedures in place.
- If, at any stage, you decide not to share information you should record this decision and the reasons for it.

Golden Rule - Keep a record of your decision and the reasons for it - whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

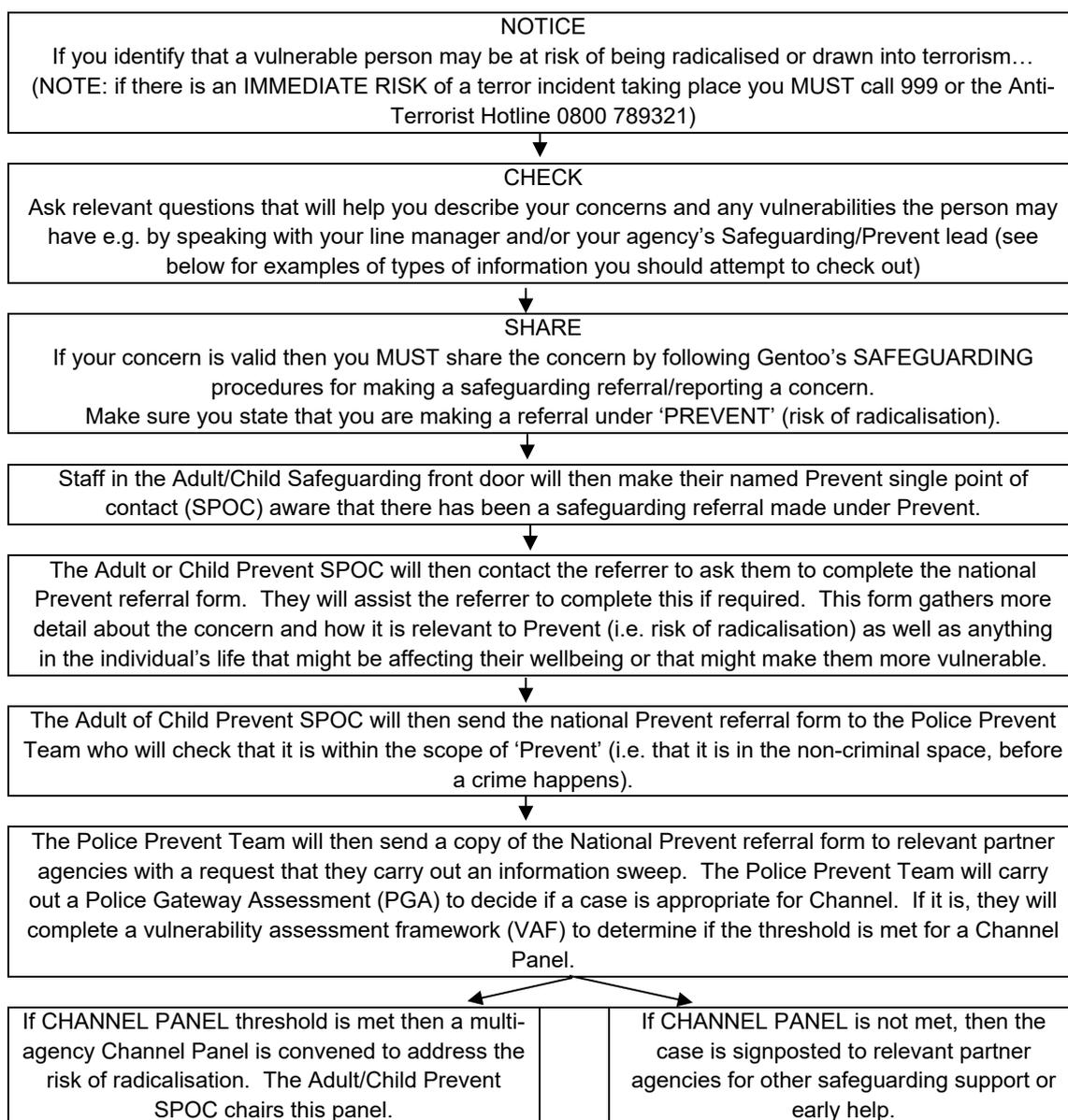
If there are concerns that a child may be at risk of significant harm or an adult may be at risk of serious harm, then follow the relevant procedures without delay.

Seek advice from a member of the Community Safety Team or your local Neighbourhood Operations Manager if you are not sure what to do at any stage and ensure that the outcome of the discussion is recorded.

Appendix 3

What is Prevent* and what should I do if I have a concern?

Prevent safeguards vulnerable adults or children at risk of being radicalised to stop them becoming terrorists or supporting terrorism. It safeguards people in the same way as safeguarding individuals from being drawn into sexual exploitation, gangs, county lines etc. Prevent works in the non-criminal space so those referred will not be criminalised. Prevent is a multi-agency response to offer support to individuals referred and deals with all forms of extremism such as Right Wing and Islamist extremist. The referral process is:



*Prevent is one of the 4 strands of the Government's Counter Terrorism Strategy (CONTEST). It operates in the non-criminal space to safeguard anyone who is at risk of being radicalised or drawn into terrorism. The following agencies have a duty to report Prevent concerns: local authorities, schools and registered childcare providers, higher and further education, the health sector, police, prisons, and probation.

Prevent referral Process: Last Updated March 2020

For the **check and share stage**, attempt to check and collate information that can include, but is not limited to:

YOUR CONCERNS – Describe in as much detail as possible the specific concern(s) relevant to Prevent.

For example:

- How / why did the Individual come to your organisation's notice in this instance?
- Does it involve a specific event? What happened? Is it a combination of factors? Describe them.
- Has the Individual discussed personal travel plans to a warzone or countries with similar concerns? If so, Where? When? How?
- Does the Individual have contact with groups or individuals that cause you concern? Who? Why are they concerning? How frequent is this contact?
- Is there something about the Individual's mobile phone, internet or social media use that is worrying to you? What exactly? How do you have access to this information?
- Has the Individual expressed a desire to cause physical harm, or threatened anyone with violence? Who? When? Can you remember what was said / expressed exactly?
- Has the Individual shown a concerning interest in hate crimes, or extremists, or terrorism? Consider any extremist ideology, group or cause, as well as support for "school-shooters" or public-massacres, or murders of public figures.
- Please describe any other concerns you may have that are not mentioned here.

COMPLEX NEEDS - Is there anything in the Individual's life that you think might be affecting their wellbeing or that might be making them vulnerable in any sense? For example:

- Victim of crime, abuse or bullying.
- Work, financial or housing problems.
- Citizenship, asylum or immigration issues.
- Personal problems, emotional difficulties, relationship problems, family issues, ongoing court proceedings.
- On probation; any erratic, violent, self-destructive or risky behaviours, or alcohol / drug misuse or dependency.
- Expressed feelings of injustice or grievance involving any racial, religious or political issue, or even conspiracy theories.
- Educational issues, developmental or behavioural difficulties, mental ill health (see Safeguarding Considerations below).
- Please describe any other need or potential vulnerability you think may be present.

SAFEGUARDING CONSIDERATIONS for example:

- Does the Individual have any stated or diagnosed disabilities, disorders or mental health issues? If so, has this been diagnosed.
- Have you discussed this Individual with your organisations Safeguarding / Prevent lead? What was the result of the discussion?
- If your concerns are sufficient that you want to make a safeguarding referral, have you informed the Individual that you are making this referral? If so, what was the response?
- Have you taken any direct action with the Individual since receiving this information? What was the action & the result?
- Have you discussed your concerns around the Individual with any other agencies?

OTHER INFORMATION you think may be relevant. For example: social media details, military service number, other agencies or professionals working with the Individual, etc...

Prevent referral Process: Last Updated March 2020

Version 4.1 – Uncontrolled if printed