

**Kingsgate Workshops Trust
Safeguarding Policy
June 2023**

1. Policy Statement

- 1.1 Kingsgate Workshops Trust recognises safeguarding as a key governance priority for all charities, regardless of size, type or income, and not just those working with those groups who have traditionally been considered to be vulnerable or 'at risk'; namely children and young people and vulnerable adults. This policy's scope thus covers actions and behaviours which are illegal or likely to harm others'
- 1.2 The policy aims to:
- Promote and prioritise the safety and wellbeing of all employees (including secondees), contractors, beneficiaries, volunteers and others who come into contact with the Trust.
 - Provide assurance that the Trust takes reasonable steps to manage safeguarding risks.
 - Ensure that everybody understands their roles and responsibilities with regards to safeguarding matters.
 - Ensure that appropriate action is taken in the event of any allegations or suspicions of harm from contact with the Trust's staff or volunteers.
- 1.3 This policy applies to all who work and volunteer for the Trust.

2. Principles

- 2.1 Legislative protection exists to ensure the safeguarding of those who are typically considered to be vulnerable or at risk of abuse or neglect. This includes:
- Children and young people under 18 years of age.
 - Adults (aged 18 and over) who are considered to be vulnerable or at risk.
- 2.2 This policy covers the following types of harm or abuse:
- Greater Likelihood
- Sexual harassment, abuse and exploitation
 - Criminal exploitation

- Harmful behaviour and poor accountability inside the organisation
- People abusing a position of trust they hold within the charity
- Bullying or harassment
- Health and safety
- Commercial exploitation
- Cyber abuse
- Discrimination on any of the grounds in the Equality Act 2010
- People targeting the charity
- Data breaches, including those under General Data Protection Regulations (GDPR)
- Negligent treatment
- Physical or emotional abuse

Lesser Likelihood

- Extremism and radicalisation
- Modern slavery

- 2.3 The Trust does not provide support services to members of the public and will not usually work with those who fall within the remit of the legislation. From time-to-time the Trust may come into contact with young people under 18 years of age. In these circumstances, the Trust's Young Person Risk Assessment process must be completed ahead of engagement with the young person.
- 2.4 The Trust will take all reasonable steps to safeguard and protect all beneficiaries and other connected people from abuse or mistreatment by those working or volunteering for the Trust.
- 2.5 The Trust will also take all reasonable steps to protect from harm all beneficiaries, employees, volunteers, those connected with the activities of the Trust, and those who come into contact with the Trust.
- 2.6 The Trust strongly advises Licensees and sharers to undertake DBS checks when the nature of their activity involves contact with children and young people under 18 years of age or adults (aged 18 and over) who are considered to be vulnerable or at risk. Licensees will be further responsible for actions which constitute a breach of safeguarding by their 'sharers' or sub-contractors, with whom the Trust has no contractual relationship.
- 2.7 The Trust will take a risk-based approach to manage safeguarding concerns. Issues of safeguarding will be considered as part of the risk assessment process. Safeguarding will be included on the Trust's Risk Register as a stand-alone risk and will be kept under review by the Board of Trustees.
- 2.8 The Trust will ensure appropriate due diligence is undertaken when recruiting staff, volunteers and trustees. At the time of appointment to the role of trustee, staff or volunteer, references will be taken to verify the suitability of successful candidate(s). If a staff or volunteer role is created which involves contact with children and young people under 18 years of age, or adults (aged 18 and over) who are considered to be

vulnerable or at risk, then DBS checks will be undertaken. If existing staff or volunteer roles change to include involvement with children or vulnerable adults, then DBS checks will be undertaken before job descriptions are amended and contact is permitted.

- 2.9 The Trust will ensure a member of its Board of Trustees, is nominated to act as the trustee with responsibility for overseeing safeguarding and whistleblowing across the charity. This responsibility is held by The Chair unless, by agreement of the Board, another trustee is so nominated.
- 2.10 The Trust will ensure that The Chair, or the nominated Trustee with responsibility for Safeguarding, will complete safeguarding training by an approved provider (currently [NCVO](#)) upon commencement of the role. They will refresh their training after two years, and should the Trustee term be extended, retraining will take place biannually for the duration of service. The trustee with responsibility for safeguarding will be responsible for 'championing' safeguarding issues.
- 2.11 All staff members, freelancer contractors, trustees, volunteers and interns will be made familiar safeguarding issues and procedures and will be notified of any significant changes to these.

3. Taking action

- 3.1 The form for raising Complaints or Concerns can be accessed at: <https://www.kingsgateworkshops.org.uk/complaints-policy>
- 3.2 An employee who has suspicions or concerns that safeguarding malpractice has occurred, shall follow the charity's **Whistleblowing Policy** and contact the Director (dan@kingsgateworkshops.org.uk). The Director shall ensure the Trust's whistleblowing procedures are implemented. Should the whistleblower feel unable to raise their concerns with the Trust's Director, they should contact the Trust's Whistleblowing Trustee (chair@kingsgateworkshops.org.uk). If the whistleblower feels unable to raise their concerns with the Chair directly, they may raise the issue with any other Trustee.
- 3.3 A beneficiary, volunteer or another person who has come into contact with the Trust who has suspicions or concerns that safeguarding malpractice has occurred, shall contact the Director of the Trust (dan@kingsgateworkshops.org.uk). The Director shall ensure the Trust's complaints procedures shall be implemented.
- 3.4 All other safeguarding concerns should be addressed to the Director by completing the Complaints Form (linked in 3.1) and email it to: dan@kingsgateworkshops.org.uk
In cases where it is inappropriate to contact the Director then concerns should be raised with the Chair of Trustees by completing the Complaints Form (linked in 3.1) and email it to:

chair@kingsgateworkshops.org.uk

In circumstances where the suspicion or concern relates to an action that is criminal in nature then the matter should be raised directly with the police.

- 3.5 The Trust will ensure serious safeguarding incidents are reported adequately and appropriately to the Charity Commission via a Serious Incident Report (SIR). Reports to other external authorities, police and regulators will be made as is appropriate to the safeguarding incident. Decisions regarding whether reports to external authorities, other than the Charity Commission, will be fully risk assessed and not made if they are likely to cause further harm to the victim/survivors, or due process or the rule of law is not reasonably assured. An SIR will be made in any event and will include an explanation of the Trust's decisions on other external reporting.
- 3.6 Notification of a breach of safeguarding by a licensee's 'sharer' or sub-contractor will result in the process described in 3.5 being followed and a termination of the licence agreement will be considered.

4. Keeping Records

- 4.1 An accident book will be kept to record any injury that occurs on site.
- 4.2 Records relating to safeguarding will be kept for 7 years.
- 4.3 Records regarding concerns about adults harmful behaviour towards children will be kept for up to 10 years and passed on to relevant safeguarding bodies.

5. Related policies

- 5.1 This policy sits alongside the Trust's Codes of Conduct for Staff, Code of Conduct for Trustees and Code of Conduct for Studio holders, and includes the following key policies:

- Bullying and Harassment
- Disciplinary
- Complaints
- Whistleblowing

All policies can be publicly accessed at:

<https://www.kingsgateworkshops.org.uk/policies>

6. Review

- 6.1 This policy will be reviewed annually. It will be further reviewed following a serious incident.

7. Associated relevant legislation and guidance

- Charities Act 2011
- Equality Act 2010
- Health and Safety at Work Act 1974
- Human Rights Act 1998
- Protection of Freedoms Act 2012
- Safeguarding Vulnerable Groups Act 2006
- Charity Commission Guidance 'Safeguarding duties for charity trustees'
- Charity Commission Guidance 'How to report a serious incident in your charity'

8. Change History

Version Date Comments/changes Author

V 0.1 March 2023 Draft document created Rebecca Guez

V 0.2 March Amended, approved for Board consideration

V 1.0 March Policy approved Board of Trustees

V 1.1 June 2023 Policy revised

V 2.0 June 2023 Policy approved

9. Policy Owner (s)

Name: Dan Howard Birt

Function: Director

Name: Spirit De La Mare

Function: Chair of Trustees