

Transcript for Safeguarding for Trustees

Webinar

[Introduction]

Hello and welcome to safeguarding for trustees training. This webinar is two and a half hours long and we'll have two five-minute breaks within that time. You should have received a link to the PDF of the slides and the handbook for this course, you will need those throughout the discussion so please have them ready. There are accessible formats available, so please let the host or the co-host know if you would like those. Ideally, we would like your webcams enabled, but we ask that you keep microphones muted unless you are participating in a discussion or asking a question. We do this because we want to minimise the distractions that background noise could create for people, but we also want to be able to see that everyone is here and engaged. We understand there might be occasions when you would prefer to have the webcam off. For example, if you're

having problems with your internet speed, or you've got children who need your attention.

Just to say that information shared can be of a sensitive nature, and some of the content is not appropriate for children, so if children are in the room, please consider using headphones and angling your screen away. Also, if you're happy to share any of your own experiences, please bear in mind confidentiality. We ask that you anonymise any examples, experiences or stories that you share.

It is important to keep yourselves emotionally safe during the training and if you need to take a breather from the webinar, that's okay and you can rejoin whenever you feel able to. It might be good to think about somebody you could reach out to if uncomfortable feelings or memories come to the surface. You might need to find support for yourself, or it might be that you're concerned about someone else or another situation after the session. If that's the case, please do contact our help-centre as

soon as you can because the trainer is not equipped to give specific advice on the webinar platform.

The chat facility can be used throughout for questions and for participation in activities. The co-host might answer the question, signpost you to further sources, or hold on to that question for the next pause and share it with the host. If a question is not answered, or a question is about a very specific issue, please do call our safeguarding help-centre.

Thank you for choosing Thirtyone:eight for your training today. Our motivation is to equip, empower and encourage you in your safeguarding responsibilities. As we start, we just want to recognise the time, care and commitment you're investing in your church, charity or organisation by attending this training and in everything that you do, thank you. I hope that the message you get today is that you never have to do safeguarding alone. As I mentioned already, we have a help-centre; you may want to pop contact details into your phone now if you don't already have them to hand. The help-centre is

there to support you with any questions regarding safeguarding. It might be queries about policy, or you might have a live situation which you'd value talking over with us and getting advice. The helpline operates from 7am till midnight, seven days a week, 365 days a year, or 9am to 5pm Monday to Friday for those regular questions about policies, guidance and processes, and the out of hours service for any more immediate concerns.

Everyone here today will have a different motivation for engaging with safeguarding. For us at Thirtyone:eight, it comes from our passionate belief that safeguarding is close to God's heart. Our name comes from a verse in the Bible, Proverbs 31:8 that says, "Speak out on behalf of the voiceless and for the rights of all who are vulnerable." When we take care of the vulnerable, we are fulfilling God's call. If you're part of another faith group, you may well recognise this call from your own sacred scripts. Or you might be part of a charity that has care and dignity for the vulnerable at its heart. Whatever your motivation, we want to equip you.

This is a four UK Nations-friendly course. The principles for safeguarding for trustees that we cover throughout the webinar are similar across all four nations of the UK. There are nation-specific sections in the handbook outlining key approaches, terminology and legislation. Please find the section applicable to the nation(s) in which you work, and feel free to explore the others too, since they provide examples of best practice. As we go through the course, we will flag any terminology that's nation specific. Each of the nations has multiple pieces of law and guidance connected with safeguarding for trustees. But every one of the four nations also has one main document that we'd recommend taking the time to read – we've noted those in your handbook. The main elements of those guiding documents are included in this course. As we begin our training today, I'd love to know what caused you personally to step into the role of trustee. Why do you choose to take on the responsibility and complexity? I'd love for you to share your thoughts in the chat or unmute and speak. A social media campaign asked people this same question. Some responses included:

“#whyI'matrustee To actively work for causes I care about and help a great organisation to achieve its potential. It's not easy, but I love it.”, “I can use my marketing and comms skills to contribute to a cause that I really care about #mentalhealth #whyI'matrustee.” and “Everyone has value. Everyone has a potential to give back. That's why I'm a trustee of #Windrush and @Citypraise #whyI'matrustee”. Other reasons may include: commitment to the cause, passionate about making a difference, fundamental desire to help others, learning new skills, learning how to approach decision making, strategic thinking, negotiating, managing relationships or partnerships, on the job learning, applying professional skills and knowledge to a different context, to build your understanding of others and empathy. The reasons people choose to serve as trustees are many and varied.

Typically, on this course, we have delegates with a huge range of safeguarding knowledge - from those who would say they have no knowledge at all, to those who are safeguarding experts in their professional spheres. For the sake of clarity,

we'll give a basic definition of safeguarding here, but if safeguarding isn't something you're particularly familiar with then we encourage you to do some of our foundational training to give you the working knowledge you'll need as a trustee.

“Safeguarding is the range of measures put in place to protect people in a charity or those it encounters from abuse and mistreatment of any kind.” Across the four UK nations different types of harms are named in law. But all four UK nations’ legislation also includes statements essentially saying that concerns about any type of harm should be passed on. So regardless of your context, we really do mean abuse and mistreatment of any kind. We now have a basic idea of what safeguarding is, but why should it be a central concern for trustees? Interestingly, little to none of the charity laws or charity regulators’ primary guidance for trustees explicitly mentions safeguarding. That said, it is undeniably woven into many of the main concerns and tasks of a trustee. We'll unpack those concerns and tasks throughout the webinar. But other reasons safeguarding should be an essential concern for

trustees might include: that you have a responsibility to do good, not harm; trustees are legally responsible for the charity - the buck stops with them; charities are often well positioned to identify harm and abuse in vulnerable populations; they're motivated by a desire to protect people, and a desire to protect your charities reputation, and be able to keep doing the good that you're doing. You may have different, personal reasons for prioritising safeguarding in your role as trustee. Charity regulators don't often report analysis of serious incidents/notifiable events – the terminology varies between nations – but a few years ago, a taskforce analysed the data and found that reports relating to safeguarding incidents made up 68% of serious concerns. More worrying is that it's believed that charities massively under-report safeguarding issues and concerns, with less than 1% of charities reporting any safeguarding concern over a four-year period. If our charities and faith groups have a heart to help the vulnerable, then this should be a real concern to us. We want our organisation's culture to be safe and transparent - to be people who are more

concerned about the truth than convenience. This training will focus on the legal imperative we have to safeguard people, but let's keep sight of the moral imperative. I also hope this course normalises reporting of safeguarding concerns. The Charity Commission for England and Wales note that when charities report multiple concerns, it is not seen as a sign of bad governance but quite the opposite. They say that regular reporting is evidence of good practice in and of itself.

One final thought before we jump into module one: Delegates on this course tend to represent a more diverse range of projects and purposes than most of our other courses. For example, in our adults at risk course, most of the delegates work with adults at risk. Most people in our Safer Recruitment course have a recruitment role. But as trustees, you're here representing all kinds of charities. Because of that we try to make this course as broad and principle-based as possible, so that you can apply these elements to your specific context. If there are elements that don't apply to you, please discard those and focus on the elements that fit your organisation.

Hopefully, those opening considerations and discussions have given us a solid understanding of why safeguarding can't be just a 'tick box exercise' for trustees. We're now going to consider what trustees need to do to safeguard all those associated with their charities and faith groups. This is the learning journey we'll be going on in this webinar. We have four modules, and they're all of varying lengths. Each module will include some taught content and opportunity for interaction. These modules came from the framework given in the Gov.UK guide to Safeguarding for Charities and Trustees, which was written for England and Wales. But each of the four module areas have equivalent guidance in Northern Ireland and Scotland. In other words, each of these areas are required areas of knowledge for trustees regardless of which of the UK nations you are working in. Module one is policies and practice, module two looks at risks, module three considers who we need to protect and finally module four discusses how we report concerns.

Module 1 – Policies and Practices

In this first module we're going to consider the safeguarding related policies we need in place, how we identify appropriate safeguarding practices for the work we're involved with, and some specifics on how we recruit people safely into our organisations.

Practices from our principles: From a safeguarding perspective, it can be tempting to be let our policies dictate how we work and use that as our starting point, but we believe the opposite is true. If we want to build a safer culture, it's best to start from our principles: what's important to us? These should inform how we work, and our policies should be a written reflection of those safer, principle-based practices. We'd encourage you to take the time with your Trustee board and key staff/volunteers to complete this exercise. Appendix One in your handbook covers this in a lot more detail. So how do we translate these principles into our practices? If we think about the principle of empowerment, for example, that might mean that our charities recognise that people can be nervous of professional

involvement - maybe because of fear of judgment or a past experience. We should appreciate that individuals may feel alone or overwhelmed and so we deliberately give them choice and as much control over the situation as we safely can.

Safeguarding practices shouldn't just communicate our values and who we are, but they should also show honour and respect for the beneficiaries we're looking to safeguard. One survivor/victim said: "I want people to listen to me, and not make me feel like a bad person." Our safeguarding practices should never further victimise people.

So, once we're clear on our principles and we have used these to think about our safer practices, we can move on to our policies. Let's start that discussion by getting a feel for what's already in place. Which of the following policies does your charity have: A Safeguarding Policy? Codes of Conduct?

Whistleblowing? Bullying and Harassment Policy? Complaints?

What other safeguarding related policies might you have?

Thank you for sharing. Our policies are important. Trustees can demonstrate good governance and ensure a safe culture for

everyone in their organisation through their safeguarding practices. Policies are arguably the main tool in your trustees' toolbox, and the responsibility of making sure they're in place sits with the trustees. The theory of what a safer place looks like in our organisations is explored and unpacked in our policies. It should also be one of the primary ways trustees communicate the culture that they're seeking to build. Trustees may not be the ones to write the policies, but trustees are ultimately responsible for them being in place and doing what they're supposed to do. We've already mentioned the five main safeguarding policies, but let's look a little bit more deeply at them. Safeguarding policy - this is a set of guidelines or instructions that tell people how you will keep people safe. It also outlines what people need to do when things go wrong and how you will follow up those concerns. Codes of Conduct - how you expect people connected with your charity to act, you may have different requirements for different roles. Whistleblowing - this lets people know how they can escalate concerns when they're not satisfied with the internal responses to concerns or

reports of harm. Bullying and harassment - this covers bullying and or harassing behaviours that impact those involved in the charity's work. Bullying can be abusive, but it isn't a criminal act in and of itself. Harassment is against the law, so this policy is important for helping those involved in our work to understand that distinction. Complaints - tells people how they can let you know that they've had a negative experience and what your process will be for dealing with that. For those of you who are members of Thirtyone:eight, you can access templates for many of these policies from our resource library and an internet search will turn up other example templates you can build on.

This is not an exhaustive list. Depending on what your faith or charity group does, you may need additional policies. For example, a Digital Safety Policy. A Conflict of Interest Policy is recommended for charities across the four nations and the charity regulators for Northern Ireland and Scotland also recommend a Risk Management Policy. At first glance, risk management and conflict of interest might not look like safeguarding related policies. But as we explain and unpack

some of the safeguarding concerns trustees need to respond to, you'll see their relevance.

Unfortunately, it's not enough just to have policies. We also need to make sure: 1) That they're agreed by all the trustees. In reality, your trustee board will not agree all the time. In fact, constructive challenge is an important part of the role of a trustee; healthy organisations can't be built without it. Having a trustees' code of conduct can spell out how you deal with any differences of opinion. This should be decided before the disagreements arise. We've shared some links that you might find useful in your handbook. Your charity's governing document, which is sometimes called a constitution, will tell you if decisions made by the trustees must be unanimous, if they can be made by a majority, and if so, how great a majority. It's worth bearing in mind that once that decision is reached, all trustees are collectively responsible for the decision, even if they were absent on that occasion, or they raised concerns about that decision.

2) Policies must be fit for purpose and reviewed annually so they stay fit for purpose. When did you last review your policies? Do the policies that you have now match the work you're currently doing? Have any new activities been added, stopped or significantly altered? Have your policies been changed to reflect this?

3) Policies must be updated in line with statutory guidance, law, and the charity regulators' recommendations. This can sound overwhelming, but there're alerts that you can sign up to, we've put some links in the handbook. Regular safeguarding training will also help you be informed about and to apply these changes in guidance and legislation.

4) Policies should be accessible and understood by all staff volunteers, and they should be publicly available. This can be the step that many people skip, but this is what makes the work you've already done meaningful. It's important that those who are involved in your charity understand they'll be kept safe. If your policies are written in 'legalese' and locked in a filing

cabinet, they're not going to be impactful for most people. An example of when policies have been made accessible to those they're written for is the Scottish Government's post-care review mandate, The Promise, which is thoughtfully written in and of itself. But since it's for and about children, they also produced the 'Pinky Promise' version, which has all the same information in child-friendly language and is visually appealing. Put simply, if the people who are supposed to be following the policy can't understand it, it doesn't matter if you understand it. We should ask, does it need to be available in any other languages, or in a non-literacy version? Are easy read versions available? Take a moment to physically or mentally list the staff, volunteers and beneficiaries you work with. Is the tone of your existing safeguarding policies appropriate and one that resonates with them?

Let's briefly consider safer recruitment for charities. Law and guidance make it clear that across all four UK nations, having policies and practices in place for safer recruitment is essential. In England and Wales, trustees are expected to make sure that

the charity checks that people are suitable to act in their role. In Northern Ireland, organisations working with children and adults at risk need to have robust recruitment and selection processes in place, including carrying out the AccessNI checks where required. And in Scotland, trustees should ensure that appropriate due diligence is carried out which might include a disclosure check, seeking references and checking qualifications and experience. Bringing people into our organisations in safer ways is the responsibility of the trustees. The Charity Commission Task Force analysis of serious concerns brought to the regulators found that staff are thought to be the perpetrators of a staggering 65% of serious safeguarding concerns. Safer recruitment is a large topic, which means that we can't do it justice on one side slide. In fact, we have an entire course just on this. But it is something trustees need to have on their radar if they're going to build safer organisations. We've included the main components for safer recruitment in your handbook. The main takeaway is that your safer recruitment processes can be in proportion to how formal

or informal as the role is, and that the time and finance invested in this can be proportionate to your charity. But as trustees, you must have these measures in place. Before we move on to our break and the next module, it's worth taking a moment to consider how we need to apply this learning to our context. We recognise that this session contains a lot of information and potential tasks, but also that trustees are often very busy people. So, here's our module one IYDNE (if you do nothing else): An essential task is to check when you last reviewed your policies and practices. Has it been over a year? Have all trustees agreed to them? Are they fit for purpose? Are they in line with law and guidance? If you answered no to any of these questions, this needs to be done as a priority. Do you need to communicate or present these differently so everyone involved in your charity can understand them? It might be that something completely different has stood out to you from this module. Take a moment to jot down a note or send out a calendar invitation to people you need to bring into this

conversation so that you can revisit this soon. We're now moving on to our second module.

Module 2 – Risks

In this next module, we're going to consider the risks our charity might face or create for those associated with us. We'll look at what it means to be a charity and to exist for public benefit.

How do we measure that? We'll look at the specific risks trustees are asked to be aware of, and we'll consider what it means to take reasonable steps to prevent the risks from causing harm. Finally, we'll look at when risks connected with our charity's work leads to unintended and indirect harm, and our response to that.

Charities, by definition, exist for public benefit. This is a legal term, but it's also a really practical thought. How does the work of your charity benefit the public? As trustees, we need to be clear about that and hold that benefit, or our purpose, in balance with potential harms. As much as we don't want this to be true, our charity can cause harm. No organisation or person

can ever be wholly good or wholly bad. We need to consider 'how are we doing on balance?'. Advice for trustees is that any harm that results from the charity's work to people, property and the environment must not outweigh the benefit. Trustees are told that this must be based on evidence and not your personal views. Scotland has a similar message: Your duty as a trustee includes making sure that the appropriate safeguarding measures are put in place to prevent and protect them from harm. The risk may never entirely disappear. But the better the safeguards adopted, the better able charities are to mitigate those risks. And Northern Ireland's guidance says: It's the responsibility of charity trustees to manage actual and potential risks to ensure the charity can continue to meet the needs of beneficiaries at present, and in the future.

So, we know that the benefits to the public need to outweigh the risks, but what kind of risks do we need to be aware of? Some of our personality types will position us more naturally to spot these potential risks. Who in this training would describe themselves as a pessimist? How about an optimist? Would

anyone describe themselves in any other way? I joke that I'm a hopeful realist. This year, like most of you, we had a Christmas tree up in our house, which is not unusual. But we did have a moment's pause because this year we also had a new puppy! We wanted the benefits of the tree - the feeling of festivity and the tradition of letting the kids decorate the tree, so we had to balance that with the risk of the huge temptation that the tree would present to our puppy. We put the tree up, but on a side table this year, and it's been absolutely fine. Being a hopeful realist in this situation meant I was aware of the risks and the benefits, but with certain measures in place, we went ahead anyway. As we talk about risk for charities, regardless of your natural disposition, this is what we want you to do: Be a hopeful realist. Be honest and mindful of the realities and the risks in front of you, but leave space for the incredible. It's about being risk aware, not risk averse.

What specific kinds of risks should we be aware of? There's a full list in your handbook as the different charity regulators highlight specific things, but they can be split broadly into these

categories. And these are massively broad categories. The first category is different forms of harm and abuse. This can include sexual harassment, abuse and exploitation, criminal exploitation, bullying or harassment, commercial exploitation, cyber abuse, negligent treatment, domestic abuse, self-neglect, physical or emotional abuse, extremism and radicalisation, forced marriage, modern slavery, human trafficking, female genital mutilation and spiritual abuse, which is not listed in guidance but is a key consideration for many of our faith groups. A second type of risk, which absolutely overlaps with the first and third categories, but I've listed it as a standalone because we should have a specific awareness of it, is targeted abuse. As much as it's an uncomfortable truth, charities can provide the perfect opportunity for people to perpetrate abuse. Charities often work with very vulnerable people and charities may feel they lack the time and financial resources they need to put safeguarding measures in place. Because of that, a category of risk to be aware of is how can your beneficiaries be targeted for abuse because of their connection with your

charity? And the final category of risk to be aware of is your charity's culture. This may allow poor behaviour and poor accountability, people abusing a position of trust that they hold within a charity, or a culture that allows for discrimination on any grounds under the Equality Act, and data breaches, including those that fall under General Data Protection Regulations, or GDPR.

Once we have an idea of what the risks might look like, we need to act. As part of fulfilling your trustees' duties, you must take reasonable steps to protect from harm people who come into contact with your charities. So how do we mitigate the risks listed? Your organisation's legal duty to safeguard would largely be outworked through your policies and practices, as we've already discussed, but also how we report and refer on our concerns which we'll look at in module four. But since safeguarding concerns can take on many different forms, there are different levels of 'reasonable steps' we can take to protect people from harm. But where the risks are low level, the reasonable steps might be less formal. One of the key roles we

hold in third sector is that of providing pastoral support: journeying alongside people and life is difficult, providing practical, emotional, and spiritual support in challenging circumstances. There's no legal remit for who receives pastoral support. If the person wants it and we can provide it, then it can be a life-giving offering that can make a real difference to someone's safety and wellbeing. Good signposting is always helpful for your workers and those who benefit from the charity's services. Finally, signposting means letting people know what specialist services are available to them. As a faith or community group, it's unlikely that you'll hold the expert knowledge needed to respond to that diverse list of risks that range from child marriage, to GDPR issues, to cyber abuse. Fortunately, you don't have to hold all that knowledge. You can signpost your staff, volunteers and beneficiaries to the people who do hold that knowledge. Consider for a moment: Do you display posters with information and contact numbers for organisations that support people in various circumstances? Does everyone in your organisation know who your

Safeguarding Lead is? And how to contact them if they're worried about themselves or someone else? Are there opportunities in groups and meetings to discuss current safeguarding trends? Perhaps you invite experts to speak on subject matters, or invite the Safeguarding Lead to attend the lunch club, or any other project. This could give you the opportunities to raise awareness amongst the most vulnerable groups, for example, ask someone to come and talk to your older adults about door-to-door scams. Or what it looks like if you hear about knife crime outside your youth group but can invite someone to come speak about the lived experience at a future youth event.

As we consider balancing our 'public good' with the harms and risks, we need to remember that some of the risks in our work are more obvious to us than others. The less obvious harms might be indirect, and therefore harder to recognise. It might even make it difficult to feel the need to take responsibility in putting things right.

Let's explore this concept further using the analogy of hands and elbows. We usually use our hands in a controlled, intentional way. The hands of our charity, or our direct actions, represent our charitable purpose. The risk associated with this direct purpose might be easy to spot, for example, the risk of physical abuse to both your workers and your service users might feel more tangible if you work directly with the victims/survivors and perpetrators of domestic abuse.

Elbows are essential for giving our hands the range of motions they need to act in the way they were meant to. The elbow of your charity can be anything that practically allows our purpose to come into being. It might be the sources of funding, your workers, your premises, perhaps even the local officials or partnerships that you have. Elbows are good and essential, but the actions of our elbows are not always as controlled and intentional as those of our hands. Ever hit your elbow on the doorframe? It hurts! We want to have caring curiosity about what the elbows of our charity are up to - to be empowered to ask the uncomfortable questions and support those who

experience harm from our charity's elbows. We want to do this even if the harm wasn't intentional, direct or foreseen. As charities we need to be careful not to add to that unintended and indirect harm by distancing ourselves from situations. It's so important not to find reasons to avoid blame or responsibility. If your charity primarily has a fundraising focus for work happening in other projects, or even overseas, this consideration is particularly relevant for you. It's not enough to defer responsibility to the organisation on the ground. Do you know if the organisation you're funding has safeguarding procedures in place? If you have an involvement in the running of the project, then you do have a responsibility to know whether your charity is causing or inadvertently facilitating harm. There is always a place for transparency, honesty and reflection. If the role of your charity in any harm that's occurred is unclear or indirect, then you might need to seek legal advice to avoid liability. It might be both necessary and appropriate to publicly or privately, apologise following this.

Let's look at a real life and somewhat dramatic example of the elbow of the charity at work. In 1985, to celebrate 30 years of Disneyland, 1 million helium balloons were released in Florida. There was community involvement, a world record, lots of great publicity, and it brought a lot of joy. The following year, a charity in Cleveland, Ohio believed that they could replicate and extend the event, but this time for the public benefit, to raise funds for charity. They did their research, spent six months preparing, enlisted high schoolers as volunteers, and they bought biodegradable balloons. On the day of the event, they released almost 1.5 million balloons and secured the world record. As there was a sponsorship amount for each balloon, they raised funds at the same time. What they didn't prepare for was the impact of a cold weather front which caused the balloons to drop back to earth instead of rising. It resulted in minor car crashes, a temporarily closed airport runway and there were horses who got injured. Sadly, a search and rescue operation that was ongoing for two missing fishermen had to be called off as the helicopter got caught in what it described as an

‘asteroid field’ of balloons. The Coast Guard in the boat couldn't see the heads of the missing fishermen because of the thousands of balloons bobbing on the lake. There was also an environmental impact and a waste of helium, a finite resource, which people have argued is better used in medicine. Later that week, the bodies of the two missing fishermen were found. Mass balloon releases are now banned in the UK and the US. All of that adds up to a damning list of unintended consequences that came from just one event. What's interesting to me is that even though these mishaps were reported at the time, it wasn't reported or seen as being a negative event until 1994, a shocking eight years later. The charity even celebrated it at their AGM later that year where it featured dominantly in the presentation, and every table had helium balloons as a nod to that fundraising event. However, if you do an internet search today for ‘Balloonfest’, you'll see that the perspective of time and the eventual lawsuits has changed the narrative from a ‘successful event with some mishaps’ to that of ‘horror’, ‘tragedy’ and ‘disastrous’.

We're now going to have a look at a case scenario. With that concept of risk, both direct and indirect in mind, let's consider how we would assess risk and put reasonable steps in place in the following scenario. The questions we would like you to consider are: Should you be concerned as a trustee? What actions or reasonable steps might you need to take? And what risks can you identify?

Scenario – Suzette

Suzette has been your paid part-time administrator for 2 years. She also worked in several business management posts before being made redundant last year. She has brought some much-needed order to your admin processes and really has been a huge gift to your charity. You're not sure what you'd do without her. Outside of that role, she likes to visit the drop-in sessions and make suggestions to the volunteers about what they should be doing. A couple have mentioned that she seems quite interfering rather than just supporting them.

The same volunteers have recently told you that Suzette has 'taken a shine' to Antonio (a volunteer for the past 3 years. He is a shy man with a stammer, and he lives alone in a property he inherited from his late parents). He seems to get caught for long chats with her at the end of the session. When you visit the drop-in the following week you observe her putting her arm round his shoulder and taking him by the hand as she talks with him. He seems a bit embarrassed by her attention. You've been told he's a quiet person who doesn't often say very much, so you're not sure if there's any problem.

Having looked at the scenario, should you be concerned? Yes.

The use of physical touch should be something that we're aware of, and the unnecessary interference with the team would be concerning. Reasonable steps we can take include adding this to the agenda for discussion at the next trustee meeting, or call an extra meeting if your planned one is some time away. You would also want to consider the relationship between the staff and the volunteers, and the protocols for visiting activities outside of their role in an organisation. It's

essential that you inform the Safeguarding Lead who should talk to Suzette about what you've heard and observed and give her the opportunity to learn from those concerns or otherwise give follow up steps that might be needed. Develop the protocols for staff and volunteers and share them with activity leaders. Ensure that the team leaders and all the volunteers have done their foundational safeguarding training and that they're familiar with the processes for reporting concerns to the Safeguarding Lead. It's also worth encouraging the Safeguarding Lead to visit the drop in if they can, but certainly check with the leader that the new protocols are being followed. Did you identify any risks? This could possibly be inappropriate relationship seeking by Suzette, and the worst case scenario is that she could be grooming Antonio in the hope of developing a romantic relationship, and then benefiting from his inheritance. She may be looking for purpose and meaning having recently been made redundant, so there may be no abuse intent, but unintentional harm could be caused to Antonio.

That brings us to the end of module two. Let's pause to reflect: If You Do Nothing Else [IYDNE], consider: How is your charity doing on balance? Could you evidence that the good your charity is doing outweighs the bad? Risk registers are a tool that can both help us to assess risk and evidence that it's not outweighing the good we're doing. There are resources in your handbook about this. For Northern Ireland and Scotland, risk registers are a priority, so if this is your area of work, we recommend investing some time into this. We're now heading into another break.

Module 3 – Protect

In this module, we're going to consider the needs of the vulnerable populations we might be working with, some elements we can put in place to protect our staff and volunteers and finally, we'll briefly touch on some of the particular challenges that can be presented in faith and community groups through unhelpful power dynamics.

So, what do we mean by vulnerable populations? What makes someone vulnerable? Vulnerability can be a difficult thing to define. It can be associated with the normal ages and stages of life. From the complications that can occur in the womb, the obvious dependency of infancy and childhood, the recklessness of exploring in adolescence to failing health in old age. Vulnerability is something all of us have experienced and will experience in our lives. Vulnerability can also be caused by social factors, for example, unemployment, substance misuse, inability to communicate in the dominant language of the society you're in, being recently bereaved and grieving, and many, many other factors. At its root, being vulnerable means to be at greater risk of harm or abuse than the majority of people because of a personal or social characteristics. It can be a short-term or long-term reality. Charities work extensively with vulnerable groups because they're the people who often need additional resources or supports to thrive, or even survive. And many delegates involved in food banks will be able to give example after example of when they've seen this to be true.

The irony, however, is that vulnerable people are by definition, more at risk of being harmed or targeted, whilst at the same time may be more dependent on the services we offer. It's not hard to see how power can be abused within charities. If you work with vulnerable groups, feel free to share those in the chat. What additional safeguarding measures might you need or might be more important because of the vulnerable populations you work with? It might be that your staff and volunteer roles are eligible for enhanced criminal record checks. It might be that you have different formats of the policies that communicate in a way that's easily understood by everyone you work with. Remember, as part of fulfilling your trustees' duties, you must take reasonable steps to protect from harm people who come into contact with your charity. The greater the vulnerability, the greater the need to protect.

A second group we need to have a particular awareness around and make efforts to protect are our volunteers and staff. They are often the beating hearts of our charities but safeguarding concerns for them can come from several places.

It can come from the beneficiaries - while it's rare, the reality is that our staff and volunteers may experience abuse, perhaps verbal or physical, from those that they're serving. Trustees need to make sure that there're clear ways of passing on that information. Carefully consider what information you want your staff or volunteers to pass on to you and how they should do that. Make sure that's what is written into your policies, and then make sure it is followed in practice. In an emergency or if someone's in immediate danger they need to call 999. Any reports of concerns should be passed on to your safeguarding lead. And finally, line management is essential for opening conversations around the more subtle concerns staff and volunteers might have. Think about the two case studies we've already looked at. Line management and/or supervision regardless of what you call it, or how informal it looks in practice, opens the lines of communication.

Qualitative reporting sounds pretty academic and formal, but please don't be put off by the phrase. Not only should our charity's purpose outweigh the risks, but this is also something

that needs to be evidenced. The charity regulators suggest this is done by writing qualitative reports. In other words, reports that focus on details and situations. When things are noted down, and trustees can look and read through a stream of paperwork, themes can become much more evident. Patterns of concern can emerge, and you should be able to spot what needs to be followed up even when they're low-lying concerns. They should be written up by whoever leads that project, but it doesn't need to be a big burden on them. It can be written in note form, or in bullet points. In the appendix of your handbook, you'll find links to different websites that help trustees think through how the reports can be effective. We've also included a list of headings that can be used as a simple template for capturing this information.

Line management and reporting can give people space to share what's going wrong. Unfortunately, though, this isn't always enough – organisations often aren't as receptive to receiving difficult truths as they should be - and staff, volunteers

and community members may need an alternative way to share their experiences.

Whistleblowing (or raising a concern as is the preferred term in Northern Ireland) gives them this. Whistleblowing is the act of raising a concern about wrongdoing, risk, or unsafe practice within an organisation. It allows anyone connected to the organisation to speak up when they believe something is not right.

Whistleblowing is an important part of an open and transparent safeguarding culture. It can also be an essential 'wake-up call', as where (oftentimes, well intentioned) self-interest or uncertainty exist, we can be reluctant to act when we receive reports of harm.

I'm sure you can think of several whistleblowing cases from various sectors that have reached national, sometimes international, news. These cases highlight the serious need for a clear, external mechanism that people can use to raise concerns, alongside internal processes. Staff, volunteers and

community members need to be clear on what to do if trustees and leadership don't respond to their concerns. These mechanisms should also include that reassurance of protection for the person raising a concern.

Pause for a moment: Do you have this policy? Can this be added to the agenda at your next board meeting?

As we saw in the module about risks, there are so many potential sources for harm for the groups that we want to protect. But we want to look a little more deeply at one that poses an additional layer of complexity for trustees; the powerful personalities and the power dynamics that exist within many of our faith and community groups. Many trustees find themselves navigating a real contradiction. On the one hand, being a trustee is a very formal role. Trustees are legally responsible for 'acting in the charity's best interest, managing the resources well and acting with care and skill'. That's the guidance for England and Wales. For Northern Ireland it states trustees are legally responsible for 'the control, management and administration of the charity' and in Scotland, for 'acting in

the charity's best interest, operating in a way that matches the charity's purpose, acting with care and diligence and managing conflicts of interest'. However, most people come into this very formal role through very informal routes. Approximately 70% of trustees are recruited through existing relationships, and just under 50% had been, or still are, users of the services the charity provides. What this can mean is that trustees have legal responsibility for the charity, yet may feel they can't speak up for fear of damaging an existing relationship, seeming ungrateful, or worse.

Some faith communities also have the doctrine of unity and the doctrine of submission, which means that the disincentives to speak out can feel spiritual, as well as emotional. I want to stress though, for Christians, the misuse of power is not a biblical right, quite the opposite. Correctly exercised power in the Bible always comes with accountability.

Of course, we're not suggesting that, as a trustee, your role is to dominate or to have an opinion for the sake of having one.

However, if leaders or staff are making decisions that you don't believe are in the best interest of the charity, that they aren't managing the resources well, or aren't showing the care and competence needed by the people the charity exists to serve, then it is your role to challenge that.

The charity regulators recognise that because of the informal ways most charities recruit trustees, conflicts of interest will happen, and they need to be responded to. The first scenario had elements of this reality and we've included resources in your handbook for signposting to the various charity regulators' guidance on the topic. The overlap between personal lives and our involvement in charities and churches are so frequent that it's worth bringing this as a topic to a trustees meeting with a focus on the safeguarding implications.

Victims and survivors are often the ones who are disadvantaged when trustees are unable to navigate those power relationships in appropriate ways. A survivor, who describes himself as still healing from his experiences many

years after, said, “The leader surrounded himself with people who wouldn't challenge him. Whether this was in relation to his personal actions, or to his decisions about the organisation.” He went on to say, “Surely someone who's doing such good work couldn't possibly cause hurt to others these ways. I also thought that if there was really a problem with his behaviour, then the rest of the leadership team would hold him to account. On paper, it looked like the trustees were independent. But the reality was different. Typically, in a charity, it's supposed to be the trustees who are the decision makers, but not so with our organisation, where the reality was, he was in charge, and the trustees rubber stamped everything he wanted to do.”

It can't be overstated how challenging the reality of this is for trustees who hold legal responsibility for the charity, yet are working under the leadership of a powerful personality, one they often respect and have a personal relationship with. If we find we've been justifying or overlooking problematic behaviours or decisions, can I gently encourage us to consider if we've been recruited to this position because it's assumed

that we won't call out unhealthy behaviours or hold someone to account? It's not a pleasant or comfortable question for anyone but one we must ask if we're going to create safer places, and truly exist for the public good.

Let's pause and consider who makes the decisions in your organisation? And are there times when this doesn't feel right or healthy? This is a very direct question, one I'd love to ask you in a less open setting, but in place of that, let me encourage you to take away these questions and carefully reflect on them in a way that feels safe. They're included in your handbook under module 3 exercises.

We've deliberately drawn your attention to the reality of people using charities as a platform to perpetrate abuse, and the harm that can be caused by those abusing the power structures that exist in charity or board relationships. But we want to place this within the context and perspective of why most people choose to be involved with charity work. Think back to the reasons you gave at the beginning for why you do what you do and hold on

to those. A recent survey gave these among many other positive reasons why people get involved: My friends and family did it, it's part of my religious belief to help people, it helps me to get on in my career, I wanted to improve things and help people, the cause was really important to me, I wanted to meet people or make friends.

With the issue of needing to protect specific groups in mind, we're going to look at another scenario. You'll notice that this builds on the learning we've already done around policies, and the concept of indirect harm that we looked at in the earlier modules. When you go into your breakout rooms, please could somebody read the scenario to the group and someone else agree to give feedback. The questions we'll consider in case scenario three are: What actions do you need to take? What risks can you identify? And who, if anyone, needs protecting?

Scenario 3 – Jason and his friend

You are a trustee of a church which lets out the building to an afterschool club 3 nights a week. The club is run by Jason - a

learning support assistant at one of the schools, plus Sheena a nursery nurse who has a child at the school. There's also a group of parent volunteers. Children from ages 9 years – 12 years old can use the club. The club has its own safeguarding policy that you have a copy of.

Your safeguarding lead, Kieran, has come to you with a concern that he is unsure what to do with. One of the parent volunteers has told him that once or twice recently a friend of Jason's has been at the club and been chatting with some of the 11-12year old boys about what games they play online and about another club that he helps at that teaches boxing.

It may be tempting to think this situation has nothing to do with you, but because it happened on your premises you do need to follow this up. What action should you take? Encourage Kieran to contact Jason and Sheena and ask for an urgent meeting for you to discuss this concern. Make sure that you thank the parent volunteer for noticing and reporting the concern. The group using your building need to be challenged about having

an unchecked adult on the premises and that if it happens again, you may need to cancel the current arrangement.

If clarity about not allowing unchecked individuals into the building is not yet stated in their own risk assessment and safeguarding policy, it will need to be added. They may say they presumed he had a criminal records check from boxing club. But criminal record checks are not transferrable between roles, so even if he has one and they've seen it, this is not sufficient. If you happen to know he's operating activities for children without checks, the barring service of DBS or Disclosure Scotland will need to be informed of the incident. Jason and Sheena should be required to show you evidence of their most up to date safeguarding training. And if it's not been refreshed in the last three years, to do this as a matter of urgency. Training is such an important tool for safeguarding. In our fast-moving world new harms and laws are emerging all the time. It's impossible to run our projects in an informed way without regularly updating this training. Incidentally, guidance from Keeping Children Safe in Education (2023), which is also

seen as setting the best practice for those of us in the charity, faith and community sector, now recommends that safeguarding leads update their training every two years. What potential risks can you identify? Jason's friend isn't a checked adult in this setting - in terms of this after school club, he is an unaccountable individual who has access to the children through the existence of your charity. It could be harmless, a not well thought-through recruitment of new members for his boxing club, which we're assuming is legitimate, but we have no evidence of that at this stage. But the worst-case scenario could be that this is the early grooming of boys for radicalisation, child criminal exploitation or sexual contact. Put simply, we have no way of knowing the friend's background, his motivation, or what is in place at the boxing club to keep these boys safe. Does anyone need protecting and if so, who? Many of you will have correctly identified that the children at the after school club, who are a vulnerable group because of their age, should be protected, and also our charity's reputation.

That brings us to the end of module three. Our IYDNE (if you do nothing else) for this module is to consider your accountability and line management structures. Do they cover everyone in your charity? Remember, accountability and line management serve two purposes, they give people the opportunity to run concerns up the ladder and to receive the support that they need. They also make sure that each person, from our one-hour-a-month volunteer, to the founder and CEO of our charity, is required to conduct themselves in healthy and appropriate ways. It also makes it clear that there is a structure for responding when staff and volunteers fall outside of that good conduct.

Module 4 - Report

We're now looking at our final and very practical module on reporting. One of the charity regulators on the topic of reporting helpfully said 'Serious incidents will happen. We consider charities that do not report them as higher risk than those who do.' For me, this attitude helps put the topic of formal reporting into perspective. People often worry about sharing issues and

concerns, but the reality for charities is that safeguarding concerns are a fact of life. It's not unlike interviewing a candidate for a job. We often ask questions such as 'tell us about a time you dealt with a difficult colleague', or 'describe when something went wrong and how you responded'. For me, nothing rings alarm bells more loudly than a candidate who insists they always get along with everyone, and they've never encountered an issue, at best it's a missed opportunity to show the ability to reflect.

Unlike the qualitative reporting we suggested having your project leaders do in module three, this module involves the formal reporting of safeguarding concerns: The 'what', 'who', 'when', and 'then what'?

Across the four UK nations, there is different terminology for serious concerns. There is more in the nation specific sections on your handbook about this. But in England, Wales and Northern Ireland, they're referred to as serious incidents. In Scotland, they're known as notifiable events.

Before we look at those practical issues of 'who', 'what', 'when' and 'then what' of safeguarding concerns, we're going to take a moment to look at an essential role: the Safeguarding Lead or Safeguarding Champion.

Your organisation might have a different name for this role, there are many, but it all essentially refers to the same job, the person taking the lead for safeguarding within your organisation. As you might have noticed, the Safeguarding Lead has already been mentioned several times throughout the course so far. It's impossible to talk about the trustees' duty to safeguard people without considering the role of the Safeguarding Lead. Before we look at that relationship in more detail, let's hear from you. Within your charity, who makes the reports to external bodies? Is it the trustees, or the Safeguarding Lead/Champion? Feel free to share some of those experiences with us.

From a safeguarding perspective, the relationship between the Safeguarding Lead and the Designated Trustee for

Safeguarding is the most crucial relationship. Neither role can effectively create a safer charity without the other. Because of this, your charity may have a designated (or lead) trustee for safeguarding. That might be your role. Or maybe your charity doesn't have one – if not, we would strongly recommend you appointing one. If you work with children or adults at risk of harm in England and Wales, then under Working together to Safeguard Children and other statutory guidance, you're expected to have one. Neither the role of trustee nor safeguarding lead can effectively create a safer charity without the input of the other. There is significant overlap between these two roles and ongoing conversation has to happen for this relationship to work, but there is a clear distinction between the two. And ongoing conversation has to happen for this relationship to work.

The Safeguarding Lead is the person on the ground, making sure the operational aspects of the safeguarding function are being outworked. They keep a general oversight of the projects, the risks, the workers and the beneficiaries. They pass

information from the trustee board out to those involved in the charity. They discuss the changes to policies or cultural changes for the organisation. They pass information from the wider charity to the board; concerns about individual projects that have evolved and are no longer matching the policy documents, etc.

The Designated Trustee for Safeguarding holds a different role. Along with the board, they are legally responsible for the charity, with input from people outworking the projects and the beneficiaries. They help set the strategy and give guidance as necessary. And they're responsible for governing the charity and setting the culture. Trustees cannot (and legally, should not) know all of the details about all safeguarding concerns. These are shared on a need-to-know basis only, but general overviews are usually appropriate to share with the board. Your Safeguarding Lead should get advice on the parameters around this.

We're going to park that distinction between the Safeguarding Lead and trustees for just a moment and consider what safeguarding concerns should be reported.

First of all, crimes. If a crime has occurred, and you're aware of it, this is something that you should be passing on.

Harms and abuses will often have to be passed on, particularly where children are involved. This could require emergency services and / or statutory services. You don't need to get consent from the child or guardian to make an external report.

The discussion around this is beyond the scope of this course, but your Safeguarding Lead should understand the nuances of this. There are also places you can get advice from if you're not sure, including our help-centre which is open to everyone.

When adults are involved, you may need consent. But again, the discussion of the nuances of this are beyond the scope of this course. You would also need to make a report where others might be at risk, the risk is ongoing, or the risk was one-off but significant in nature. For example, a child in your summer club,

getting frustrated and lashing out physically at another child is not necessarily an incident that would be reported externally, although your staff should document it. But if the other child was hospitalised as a result, or if this represented a recurring or escalating pattern of behaviour (which you would need previous records of to be able to confirm) then this would necessitate external reporting. This is why we encourage people to note everything down, even if it doesn't seem particularly significant at the time. Or if a child's behaviour leads to us discovering that the child who lashed out needs safeguarding themselves, it would merit an external report.

When you have concerns: You may not have proof that an incident has occurred, you may simply suspect or be worried about something. Again, depending on the situation this may still need externally reporting. As charities, it's never our role to investigate or be sure about a crime or abuse having occurred. We pass on what we saw/heard to the relevant people so they can investigate and potentially place that in the context of other information they have about that individual from other sources.

And finally, serious events. As organisations registered with one of the three charity regulators in the UK, you're required to pass on serious events. Each of the charity regulators have different definitions of what they want you to report on. So, it's worth making sure you are clear on these requirements.

Who we pass these reports on to really depends on the details of the situation that's occurred. It's worth saying that typically it's the Safeguarding Lead who pass on these concerns to statutory agencies and police. Trustees usually make the reports to the charity regulators. But we want to be careful of making any false distinctions here. Both the Safeguarding Lead and any trustee who holds safeguarding responsibility should be kept informed throughout. That said, depending on the situation, it might not be appropriate for you as trustee to know the names and other identifying information about the safeguarding concern.

We report on to statutory agencies. These include the police, Children's Services, Adult Social Care, etc. The names and

processes will vary across UK regions, and even within them, but most local authorities or regional boards have websites with clear guidance to inform you about how to pass on a safeguarding concern. Remember, as well as using any external reporting systems, you want to make sure that you keep records internally in case your charity is asked to follow up on anything in the future.

We also submit reports to criminal record checks lists. In England and Wales, the criminal record service is the Disclosure and Barring Service. The barring portion of that refers to a list of people who are barred from doing certain types of work with certain groups of people. Again, the ins-and-outs of this system is more complicated than you need to know for your roles as a trustee.

What is important is that the threshold for the barring service might be a lot lower than you'd expect: unlike the judicial system where 'guilt' is decided when the evidence is enough to be 'beyond a reasonable doubt', barred lists are decided 'on the balance of probability'. So, even if a person you are concerned

about wouldn't be found guilty in court, if it's decided they 'are more likely to be guilty than not', they'll be placed on the barred list. Like most Safeguarding issues, ultimately the decisions are made by professional bodies, you don't need to know the right outcome or answers. But you DO need to pass on information and get advice if you're unsure. Northern Ireland shares these barred lists. Again, the information on how and when to make a referral should be carefully checked.

Similarly, in Scotland, the Protecting Vulnerable Groups or PVG scheme, makes sure that people who may pose a known risk aren't allowed to work in regulated activity. If your concern involves an adult perpetrator, you should make a referral to Disclosure Scotland and you can find out more on their website. It's a criminal offence that carries a financial penalty or prison sentence if you fail to refer on an individual when the grounds for referral are met. We want to state strongly here, when it comes to keeping people safe, it is better to overreport than underreport, and there are helplines and websites that will help you make the right decisions around this. There are also

sanctions and potential consequences that can be given by the charity regulators for failing to report serious incidents or failing to fulfil the trustee's role adequately.

Much of the content on this course is based on the various pieces of guidance provided by the charity regulators and by charity laws across the UK nations. As well as helping charities to get it right, the charity regulators are also there to regulate and monitor us when things go wrong. Your handbook has more details on the individual charity regulators and what they want to know about. But when you do need to make a report to them, some helpful guidelines around what to include in that report are: 1) what happened, 2) how you as trustees dealt with it, 3) how you as trustees are preventing similar things occurring in the future, and 4) in view of this incident, if you've checked your policies and updated or expanded them, where necessary.

In your role as a trustee, have you ever made a report to the charity regulator? What was the concern about? How recently

was it? What were your feelings or concerns, if any, around reporting and what were the outcomes?

Passing on the right information to the right people is important.

What many charities fail on is the explicit instruction to report safeguarding concerns in a timely manner. The Charity

Commission Safeguarding Task Force said reports were not always made in a timely manner: “Trustees sometimes waited until police charges had been brought or conviction secured

before reporting. This is at odds with our requirement to report promptly. It also prevents us being able to check if the

individual involved in the possible criminality is involved with other charities and / or to engage with law enforcement to see if they present risk elsewhere. Where criminal charges do proceed, it can be months or years before an outcome is reached.”

For trustees who are usually professional people in this voluntary role, it may be tempting to take a ‘wait and see’ approach particularly when we're in the habit of reporting to

charity regulators only once a year. Perhaps that feeling is even stronger in situations where the harm might be indirect or uncertain. We need to pass on concerns in a timely manner. A phone call or email to the charity regulator to get some advice or input in the week following an incident will mean they can advise you on the amount of detail they'd like, and whether they want follow up especially if this was preventable, or if a criminal investigation is ongoing.

That brings us to the end of module four. Our IYDNE's (if you do nothing else) for this final module is firstly to consider the role of the Designated Trustee for Safeguarding. Do you have one? If not, do you need to put one in place? Secondly, how can you improve communication between the board and the lead person for safeguarding in your organisation? Take a moment to think about this relationship. Your success in safeguarding really will rise and fall on the quality of this relationship and the open lines of communication, so it's worth investing time and thought into. Perhaps schedule a time to work through the 'Practices from our Principles' exercise

included in your handbook. Or you could ask your SL for a short regular summary of the safeguarding situation in your charity, e.g. no. of people trained since last meeting, referrals, issues reported. This means that Safeguarding can (and should) be a recurring item on your meeting agenda and that you will have the information you need to hand to be able to make the right decisions for your charity.

For some of you, these IYDNE sections will be stretching and challenging. For others, this may be a confirmation that you're doing the right things already. If this is you and you're looking for ways to take things to the next level, we'd recommend both systematically working through Charity Governance Code which has loads of practical suggestions or pursuing the Thirtyone:eight Safeguarding Standards Award.

That brings us to the end of our training today. The learning journey we have been on is this: We discussed the policies and practices for safeguarding that trustees need to ensure are in place. We sought to have sound understanding of the risks that

might affect those involved in our charity. We put in place mechanisms to protect groups that needs special consideration and care. And we looked to identify to whom we need to report concerns and to recognise the framework in which we practice. I hope that in covering all of these objectives, you have a greater awareness and understanding and feel more equipped for this unique role you hold. As we draw to a close now, we'd like you to pause and take a moment to consider what you have learned and how you can apply this to your practice as a trustee moving forward.

Thank you for your participation in this Safeguarding for Trustees training. We would really value your honest feedback, please complete the form and help us equip, empower and encourage more delegates in the future. Thank you.