

Policy Name:	Safeguarding Policy – protecting children and Adult at Risks
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Who it applies to:	CILEX Employees, Board and Committee members, Trustees, Volunteers, and associated persons
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Contractual Terms and Conditions, which will be changed following legal requirements.	No

Safeguarding Policy - protecting children and Adults at Risk

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Introduction

This policy forms part of the CILEX (Chartered Institute of Legal Executives) internal control and corporate governance arrangements. CILEX means here the Chartered Institute of Legal Executives and its subsidiaries.

This policy will enable CILEX to demonstrate its commitment to safeguarding children and adults at risk that it comes into contact with during the course of its business. The policy documents the roles and responsibilities and outlines the main reporting procedures.

This policy and associated procedure set out CILEX's approach to safeguarding and promoting the welfare of children and adults at risk. This policy defines how to report a concern regarding a child or an adult at risk, and how allegations against an employee/representative will be handled.

The Group Board of CILEX is committed to ensuring that effective policies, including Anti-Slavery and Human Trafficking procedures¹ operate throughout CILEX. CILEX is committed to carrying out business fairly, openly and honestly with a zero tolerance approach to bribery and corruption.

This policy is not contractual but is intended as a statement of current CILEX policy and its commitment to operate a fair procedure, taking into account statutory and other guidelines. CILEX therefore reserves the right to amend this policy and procedure as necessary to meet any changing requirements.

This policy applies to anyone in CILEX in direct contact² with children under 18³ and adults at risk. All allegations will be taken seriously and handled in accordance with this guidance, as CILEX recognises that safeguarding is everyone's responsibility. All referrals will be investigated by the Group Safeguarding Officer (GSO) and when the allegations are against a CILEX employee, the Head of People will also be involved.

Purpose and scope of policy

This policy will enable CILEX to demonstrate its commitment to keeping children and adults at risk safe when its employees and representatives come into contact with them during the course of their work.

A child is any person under the age of 18. For the purposes of this policy, an adult at risk means a person aged 18 or over who has needs for care and support and who is experiencing, or is at risk of, abuse or neglect and as a result may be unable to protect themselves.

The statutory guidelines issued by the Department for Education, 'Working together to safeguard children,' define safeguarding as:

- protecting children from maltreatment.
- preventing impairment of children's health or development.

¹ Refer to the Modern Slavery Statement and the Modern Slavery Policy and Procedure

² In this document, direct contact means any kind of communication with children and Adults at Risk face-to-face, on-line (any kind of e-communications, which include but is not limited to email, video conference, social media platforms, etc), by telephone, letter, or any other type of communication.

³ E.g., apprentices.

- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care.
- taking action to enable all children to have the best outcomes.

The Care and Support Statutory Guidance⁴, issued by the Department for Health, define safeguarding for adults at risk as:

- protecting the rights of adults to live in safety, free from abuse and neglect.
- people and organisations working together to prevent and stop both the risks and experience of abuse or neglect.
- people and organisations making sure that the adult's wellbeing is promoted including, where appropriate, taking fully into account their views, wishes, feelings, and beliefs in deciding on any action.
- recognising that the adults sometimes have complex interpersonal relationships and may be ambivalent, unclear, or unrealistic about their circumstances and therefore potential risks to their safety or well-being.

Safeguarding concerns may arise both in person and through digital or online interactions.

Responsibilities

It is the responsibility of the **Senior Leadership Group** to ensure that a rigorous recruitment process is in place and where appropriate, employees are provided with relevant training.

Safeguarding matters are discussed in quarterly Finance, Audit and Risk Committee meetings however, any identifying information is not disclosed therefore the details remain confidential.

CILEX Management are responsible for leading by example on safeguarding and ensuring the safeguarding provision is adequately resourced.

It is the responsibility of the **Head of People** to ensure that processes and procedures are in place for relevant recruitment checks and that these are conducted for relevant roles carrying out regulated activities⁵ including, but not limited to, Disclosure and Barring Services checks (DBS), safeguarding declarations and references. The People Team are also required to complete additional Safer Recruitment training.

It is the responsibility of the **Group Safeguarding Officer (GSO)**⁶ to ensure that this document is fit for purpose, up to date and reviewed annually and sooner where legislative, regulatory, or organisational changes require.

The role of the Group Safeguarding Officer is held by the **Corporate Compliance Manager**.

The Group Safeguarding Officer is responsible for:

⁴ Although CILEX is not subject to the provisions of the Care Act 2014, we draw guidance from the statutory provisions provided under it.

⁵ As outlined in the Safer Recruitment and Selection Policy

⁶ The Group Safeguarding Officer can delegate activities to the Deputy Safeguarding Officer, a member of the Corporate Compliance Team. Refer to the Terms of Reference for further details regarding the GSO responsibilities.

- Providing advice and support on issues relating to the protection of children or adults at risk.
- Maintaining a proper record of any referral, complaint, or concern.
- Monitoring the completion of safeguarding training.
- Keeping abreast of all regulations and requirements regarding safeguarding.

It is the responsibility of the **CILEX Safeguarding Champion** (SC) to act as a named point of contact for CILEX who can offer general safeguarding advice and guidance based upon the CILEX Safeguarding Policy and Procedure. The Safeguarding Champion is not expected to investigate or make enquiries themselves, and they are not expected to submit referrals to external agencies. The role of the CILEX Safeguarding Champion is currently held by the **Chief Financial Officer**.

All employees and representatives whose roles bring them into contact with children or adults at risk, must complete safeguarding awareness training at induction and refresher training at intervals determined by CILEX.

It is the responsibility of every CILEX employee and representative to be familiar with this policy and associated procedure and know how to act and respond to allegations of abuse. They should also strive to prevent, detect, and report any forms of safeguarding concerns where possible.

Any safeguarding concern indicating that a child, adult at risk, or any other person is in immediate danger or at risk of significant harm must be reported immediately to the emergency services (999) and to the Group Safeguarding Officer as soon as practicable thereafter.

The Group Safeguarding Officer (GSO) role is currently held by the Corporate Compliance Manager. Any questions or concerns relating to this document should be addressed to the Group Safeguarding Officer by emailing: privacyofficer@CILEX.org.uk

Legal Obligations

This policy takes account of the [Children Act 1989](#), Children Act 2004, [Data Protection Act 2018](#) (General Data Protection Regulation 2016), [Safeguarding Vulnerable Groups Act 2006](#), Domestic Violent Act 2021, Protection of Freedoms Act 2012, [Working together to safeguard children \(Department for Education\)](#), and the Care Act 2014 including the Care and support statutory guidance (Department of Health and Social Care).

References

The policy complements the following policies:

- Anti-Bribery and Corruption Policy
- Archive, Retention and Destruction Policy
- CILEX Law School Safeguarding and Prevent Handbook (for concerns regarding CLS Students and Apprentices).
- CILEX Code of Conduct
- Corporate Complaints Policy
- Data Protection Policy
- Disciplinary Procedure
- Equity, Diversity, and Inclusion Policy
- Health and Safety Policies
- HR Policies

- Modern Slavery Policy
- Social Media Policy
- Suicide Awareness and Mitigation Policy
- Privacy Policy
- Whistleblowing Policy