

Policy Name:	Safeguarding Policy – protecting children and vulnerable adults
Policy Ref:	POL/SG/CC/SG/0002
Who it applies to:	CILEX Employees, Board and Committee members, Trustees, Volunteers, and associated persons
Date of Issue:	July 2020
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Policy Type:	Corporate
Policy Owner:	Corporate Compliance Manager
Approved By:	Corporate Policy Review Panel
Equality Impact Assessment Screened	Yes
Contractual Terms and Conditions, which will be changed following legal requirements.	No

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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 vulnerable adults it comes in to 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 vulnerable adults. This policy explains who a child is and who is a vulnerable adult, how to report a concern, 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 vulnerable adults. 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 Human Resources will also be involved.

Purpose and scope of policy

This policy will enable CILEX to demonstrate its commitment to keeping children and vulnerable adults 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. A vulnerable adult is aged 18 or over and might, for example, be vulnerable due to a learning, physical or mental disability.

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

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 vulnerable adults face-to-face, on-line (any kind of e-communications, which include but it is not limited to email, video conference, social media platforms, etc), by telephone, letter, or any other type of communication.

³ E.g., apprentices.

- protecting children from maltreatment.
- preventing impairment of children’s health or development.
- 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 vulnerable adults 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.

Responsibilities

It is the responsibility of the **Executive Committee** 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 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 Human Resources** 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) and references. Human Resources staff 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 every 18 months or sooner if deemed necessary. The Safeguarding Policy and Procedure will be revised as necessary to take into account stakeholder feedback, recommendations from the regulatory authorities, changes in legislation or other relevant factors.

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 young or vulnerable people's protection.
- Providing guidance to children and vulnerable adults about how to obtain suitable support relating to safeguarding issues.
- 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**.

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.

Questions or concerns relating to this document should be addressed to the Group Safeguarding Officer. Email: privacyofficer@CILEX.org.uk

Legal Obligations

This policy takes account of the [Children Act 1989](#), [Data Protection Act 2018](#) (General Data Protection Regulation 2016), [Safeguarding Vulnerable Groups Act 2006](#), 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).
- Code of Conduct
- Corporate Complaints Policy
- Data Protection Policy
- Disciplinary Procedure
- Equality, Diversity and Inclusion Policy
- Health and Safety Policies
- Modern Slavery Policy
- Social Media Policy
- Suicide Awareness and Mitigation Policy
- Privacy Policy
- Whistleblowing Policy