



ADULTS AT RISK POLICY

Introduction

Charlton Athletic Community Trust is committed to ensuring the protection of Adults at Risk (formally Vulnerable Adults) through the development and implementation of effective policies and best practice. This policy considers legislation and guidance laid down by the Care Act 2014 and the Care and Support Statutory Guidance 2018. This is also supported by The Human Rights Act 1998, Data Protection Act 2018 and the GDPR 2018.

Trustees, the management and staff (paid and voluntary) recognise and accept the responsibility to develop and raise awareness of the issues involved in working with Adults at Risk and to safeguard any Adults at Risk who attend any CACT programmes or activities.

This Policy is applicable to all Trustees, CACT and volunteers whether paid or unpaid.

Everyone's responsibility.

All CACT staff and volunteers have a safeguarding responsibility. As per the reporting procedures the initial contacts will be the Programme Lead and the Designated Safeguarding Officer. Please ensure that the name of your Programme lead is known to you.

Equality statement

CACT is committed to promoting equality and inclusion across all areas of our work including employment and service provision. At CACT we are guided by our values and committed to tackling discrimination and promoting equality. We seek to develop an environment where all groups and individuals are treated fairly and in a consistent way. CACT recognise that there are additional vulnerabilities to adults that identify as LGBTQ+, those who are in the care environment and those who are at additional risk such as being homeless or having a disability that's requires an intervention.

We work within both the spirit and practice of the Equality Act 2010 by promoting a culture of trust and respect. We will support our employees and volunteers to implement the principles of equality and inclusion in the delivery of our services and activities. CACT will also work with partners in the community, voluntary, public, and private sectors to achieve this.

CACT's Equality Policy is available at: www.cact.org/policies

Definition of Adult at Risk

The broad definition of an Adult at Risk as laid down by the Care Act 2014 is an adult.

- Who is 18 years of age or over.
- Has needs for care and support (whether or not the Local Authority is meeting any of those needs).
- Is experiencing, or at risk of abuse or neglect.
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse and neglect.

England (CARE Act 2014)

There is a Legal Duty on Local Authorities to provide support to “Adults at Risk”.

Safeguarding legislation applies to all forms of abuse that harms a person’s well-being.

An (Adult at Risk) **may** be a person who: -

- Has a mental illness including dementia or a personality disorder.
- Has a physical or sensory disability
- Has a learning disability.
- Has a reduction in physical or mental capacity.
- Has a severe physical illness
- Is in the receipt of any form of healthcare.
- has issues with substance misuse (i.e., drugs or alcohol)
- Is receiving community services because of age, health, or disability.
- is an unpaid carer.
- is homeless or living in sheltered or residential care home.

The presence of a disability or age alone does not signify that an adult is necessarily at risk i.e., unable to take care of themselves or unable to protect themselves from abuse or exploitation.

Accountability

The CACT Board of Trustees has an appointed Safeguarding Trustee who works with the CACT CEO and the Designated Safeguarding Officer. Reports are supplied to the Board of Trustees on a quarterly basis and also go to the Personnel and Finance Subgroup for examination. Both the Board of Trustees and Subgroup meetings provide feedback to the Designated Officer as well as guidance and direction. The Board of Trustees also receive training from the Safeguarding Trustee and Designated Officer.

Adults at Risk - Forms of Abuse

Abuse may be defined as the wrongful application of power by someone in a dominant position over another adult. This can include the exploitation and other abusive activities

where there has not been full or informed consent. Abuse also includes the maltreatment of an adult in forms such as physical abuse or neglect.

Abuse of an Adult at Risk could be:

- Physical abuse – this includes hitting, slapping, kicking, pushing, or withholding or misusing medication.
- Domestic Violence - any incident of threatening behaviour, violence or abuse between adults who are or have been in a relationship together, or between family members, regardless of gender or sexuality.
- Sexual abuse – this includes sexual assault and rape, or sexual acts where the vulnerable person has not (or could not give consent) or was forced to consent.
- Emotional abuse – this includes threats of harm, humiliation, intimidation, coercion, harassment, and criticism aimed at lowering self-esteem and confidence.
- Financial abuse – this includes fraud, theft, exploitation, misappropriation such as coercion to change willed inheritance (i.e., property and possessions) and the misuse of benefits.
- Neglect – this includes withholding basic living requirements such as adequate nutrition, safe and warm environments, withholding medication and failing to provide access to required medical and social care treatment and interventions.
- Peer on Peer – abuse from another Adult at Risk.
- Self-neglect - This general term used to describe an adult at risk living in a way that puts their health, safety, or well-being at risk.
- Bullying – this includes a sustained campaign of emotional, physical, and verbal abuse (including discriminatory practice).
- Institutional – this includes poor or inadequate care, neglect or poor practice within a residential home, nursing home or hospital.
- Radicalisation – where vulnerable adults are groomed into a particular ideology that can cause harm to themselves and others.
- Discriminatory – this is when an Adult at Risk is discriminated against because of their gender, religion, disability, or certain other protected characteristics.
- Modern Slavery – this is where when an individual is exploited by others, for personal or commercial gain.

See Appendix Two for further information on abuse and neglect.

Principles of Adult Safeguarding under the CARE Act 2014.

- Empowerment – People being supported and encouraged to make their own decisions and informed consent.
- Prevention – it is better to take actions before harm occurs.
- Proportionality – the least intrusive response appropriate to the risk presented.
- Protection – support and representation for those in greatest need.
- Partnership – Local Solutions through services working with their communities. Communities have a big part to play in preventing, detecting, and reporting neglect and abuse.
- Accountability – Accountability and transparency in delivering safeguarding.

Working Practices

- CACT will provide environments and programmes at which Adults at Risk feel safe and valued and listened to.
- CACT will ensure that Trustees, the management, and staff (paid and voluntary) take responsibility to protect Adults at Risk from harm.
- CACT will ensure all staff (paid and voluntary) working with Adults at Risk adhere to the CACT Code of Conduct.
- CACT will ensure all staff working with Adults at Risk will receive sufficient training.
- CACT will exercise a Duty of Care and where necessary share information and/or concerns in a confidential manner with appropriate agencies such as the police or social services.
- CACT will review this Policy annually or before that if needs be (i.e., due to a change in legislation etc).
- Safeguarding will be a standard agenda item at all CACT meetings including the Trustees Board meeting, Finance and Personnel meeting, Equality, Diversity, Inclusion and Safeguarding meeting, Senior Management Team meetings and Managers Meetings.

Safer recruitment

CACT will ensure that all staff (paid and voluntary) working with Adults at Risk will be subject to a safer recruitment process which will include.

- Completion of a CACT application form and attendance at an interview.
- A DBS check where this is required i.e., regulated activity.
- Two references from past employers (or school / college for coaches either still attending the latter or having just left).
- Provision of original certificates of qualifications.
- Identity check.
- Right to Work check.
- Attendance at induction (including Adults at Risk training).

Any issues relating to concerns raised over disclosures on the DBS will be discussed in terms of the risk that disclosure poses to any adult at risk by a panel made up of the Safeguarding Officer, appropriate programme manager responsible for this area and a member of the HR Team. The owner of the DBS will also be invited to this meeting. A recommendation will then be made to the CACT Safeguarding Trustee and the CEO

Recruitment of ex-offenders

As an organisation Charlton Athletic Community Trust (CACT) assesses applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), CACT complies fully with the DBS Code of Practice and undertakes to treat all applicants fairly. CACT undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information needed.

The Rehabilitation of Offenders Act 1974 (“1974 Act”) primarily exists to support the rehabilitation into employment of reformed offenders who have stayed on the right side of the law.

Under the 1974 Act, following a specified period of time which varies according to the disposal administered or sentence passed, cautions and convictions (except those resulting in prison sentences of over four years and all public protection sentences*) may become spent. As a result, the offender is regarded as rehabilitated.

The 1974 Act places limits on what convictions and cautions an employer can ask an individual about and what they can consider. Any employer can ask a person to disclose unspent convictions and take these into account. Where the job or activity is listed in the Exceptions Order, a standard or (where the role is listed in Regulations made under the Police Act 1997) an enhanced disclosure certificate can be requested, and an employer can ask a person about any unprotected spent convictions and cautions – that means those spent convictions and cautions which are not protected and would be disclosed on a DBS certificate (under the rules described above).

An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts, and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position. All applicants will be subject to CACT’s Safer Recruitment process.

CACT ensures that all those in CACT who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. CACT also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of offenders, e.g., the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, CACT ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Any member of staff that has content on their DBS when presenting themselves for an activity will have been risk assessed and will have been deemed as presenting no risk to any person on that activity. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment. This is in line with the Football League Recommendations as well.

The same process will be used for the recruitment of ex-offenders. All safer recruitment steps will be followed including the use of the panel as detailed in the previous paragraph when the DBS check is received back by the applicant. If the appointment is made this may include a risk assessment being put in place at the commencement of employment.

Training

All staff and volunteers will be required to attend safeguarding training every three years at the appropriate level for the post.

Assessment of partner safeguarding policies and procedures

If working in partnership with other organisations for the purpose of the delivery of programmes and activities CACT will ask as minimum for evidence of

- Safeguarding Policy concerning Adults at Risk and reporting procedures including allegations made against staff and volunteers.
- The provision of a Designated Safeguarding Officer
- Training of staff
- Safer recruitment procedures
- Completion of DBS checks if appropriate for the roles.

CACT reserves the right to use their Safeguarding Policies and Procedures if concerned about the response of a partner to any safeguarding issue. This will be reflected in any Service Level Agreement.

New programmes of activity

Any new programme of activity or one which is undergoing renewal and or improvement will include safeguarding in the planning brief influenced by any known risks that maybe encountered or otherwise, any known information about the group and activity and will consider any knowledge held by third party agencies and /or stakeholders including information sharing governance.

The views of the adults will also be considered with regards to being and feeling safe on any new programmes of activity and what they would like a safeguarding function to look like.

Designated Officers

The Designated Officer / CACT Safeguarding Officer is Barry Simmons 0208 850 2866 / 07816 848677

The Safeguarding Trustee is Ken Palmer

CACT Safeguarding Roles and Responsibilities

CACT in line with the FA policies and procedures has appointed a designated person to deal with first reports of poor practice or abuse. This person will be known as the Designated Safeguarding Officer or CACT Safeguarding Officer but will perform the same functions as the FA's Club Welfare Officer. The Safeguarding Officer will have attended the FA Club Welfare Officer workshop and be trained to DSO Level Three. This falls in line with the recommendations from the Football League and the Premier League. The Safeguarding Officer will provide support to colleagues in CACT as and when appropriate regarding safeguarding concerns.

Role of the Designated Safeguarding Officer

- **The CACT Safeguarding Officer will act as the first point of contact reports of poor practice / care and or abuse** and will liaise with the relevant services to report the concerns be it the Local Authority Designated Officer (LADO), Adults and Older Peoples Services (AOPS), the Police, or the County FA Welfare Officer if the concerns are football related. The CACT Safeguarding Officer will keep CACT staff informed of all action and conclusions to any safeguarding referrals and reports as appropriate.
- The CACT Safeguarding Officer has the responsibility for updating all CACTs Safeguarding Policies and Procedures and for arranging training for all staff as and when required and in line with the set renewal dates by the relevant appropriate bodies such as the Football Association and Local Authorities.
- The CACT Safeguarding Officer and Charlton Athletic Football Club (CAFC) Safeguarding Officer will meet on a quarterly basis as a means to develop Safeguarding Policies and Procedures and share and develop best practice. This meeting will also include members of the personnel function from both CACT and CAFC and other staff as deemed appropriate.
- The CACT Safeguarding Officer has the responsibility of preparing reports for the Safeguarding Trustee and the Senior Management Team.
- The CACT Safeguarding Officer will also have the responsibility of reporting all allegations against staff to the relevant LADO and making possible referrals to DBS if appropriate (this is a legal requirement).
- The CACT safeguarding Officer will work with the CACT HR officer to ensure that safer recruitment practices are followed and revised when needed.
- The CACT Safeguarding Officer will receive regular supervision from the CACT CEO and Safeguarding Trustee. In turn supervision will be provided for CACT staff involved in any safeguarding work or cases.
- The CACT Safeguarding Officer will be responsible for the generation and maintenance of safeguarding case files and storing these securely in line with GDPR legislation.

Role of the Safeguarding Trustee (SSM)

- The CACT Safeguarding Trustee will represent the Safeguarding Function on the Board of Trustees and will provide the Board with updates and guidance on new legislation and practice. This will also be disseminated to the CACT Safeguarding Officer.
- The CACT Safeguarding Trustee will have the responsibility to ensure that all CACT Safeguarding policies and procedures are adhered too.

- The CACT Safeguarding Trustee will provide guidance and support the CACT Safeguarding Officer on an on-going basis. This includes support in dealing with safeguarding issues as they arise and in the production of new policies and procedures.
- The CACT Safeguarding Trustee will deputise for the CACT Safeguarding officer during times of absence i.e., annual leave.
- The CACT Safeguarding Trustee will provide training to the Board of Trustees, to the CACT Safeguarding Officer and assist the CACT Safeguarding Officer in staff training.

Role and Responsibilities of the Board of Trustees, Directors, and Senior Management Team

The Board of Trustees, Directors and SMT will ensure that.

- CACT has an Adults at Risk Policy and Procedures in place that are in accordance with the EFL, Football Association, Local Authority guidance and locally agreed interagency procedures; the policy is available on the website, hard copies available on request.
- CACT operates safe recruitment procedures and makes sure that all appropriate checks are carried out on staff and volunteers who work with adults at risk.
- CACT has procedures for dealing with allegations of abuse against members of staff that comply with guidance from the Local Authority and locally agreed interagency procedures.
- In addition to safeguarding training (every year) the DSL will undertake training to support inter-agency working.
- There is annual training for all staff to equip them to carry out their responsibilities for child protection effectively. Temporary staff or volunteers who work adults at risk are made aware of CACT's arrangements.
- A Whistleblowing Policy and Procedure is in place and is reflected in staff training and staff behaviour policies e.g., Code of Conduct, to encourage staff or volunteers to report concerns regarding safeguarding.
- All allegations, safeguarding complaints or issues are investigated by the DSL and appropriate person from the SMT, and if appropriate, by an independent investigator who will be externally sourced. The DSL and SMT remedies without delay any deficiencies or weaknesses regarding safeguarding arrangements that are brought their attention.
- A member of senior staff or a director is nominated to be responsible for liaising with the Local Authority Designated Officer (LADO) in the event of allegations of abuse being made against any member of staff.

- The Board of Trustees and SMT review the Adults at Risk Policy and the effectiveness of safeguarding procedures annually, or sooner if there are any changes to guidance or legislation.
- With staff welfare in mind, the Executive Team and SMT will consider the necessity and appropriateness of arranging 'safeguarding supervision' for the DSL and or deputy DSLs within CACT.
- The Directors will provide cover for Safeguarding in the absence of the DSL for reason of leave, illness etc.

Meetings

- The CACT Safeguarding Officer and the CACT Safeguarding Trustee will formally meet on a quarterly basis just before the Board of Trustee meetings to review all CACT practices and procedures as well as analyse and safeguarding cases that have arisen over the last quarter or on going.
- CACT will also have quarterly meetings with the CAFC Designated Safeguarding Lead where Adults at Risk will be a standing item on the agenda.
- Ad hoc meetings will also be arranged as and when needed.

Reporting Procedures

If there are concerns about an Adult at Risk, then report this to the CACT's Safeguarding Officer and inform the Programme Lead Officer unless they are part of allegation. Use the CACT Internal Referral form to report the concerns.

If the issue is one of poor practice, then CACT's Safeguarding Officer will either:

- Deal with the matter internally with the support of the relevant Programme Lead.
- Seek advice from the CFA Welfare Officer (football related incidents only).

If the concern is one of abuse, then the CACT Safeguarding Officer will either contact the Police or the relevant Local Authority Safeguarding Adults Team, Domestic Abuse Support Service, MARAC, or all depending on the nature of the issue. The CACT Safeguarding Officer will also contact the relevant CFA Welfare Officer and FA Case Manager if the concern is a football related one.

If the allegation is against the Safeguarding Officer, then all information should be directed to the CACT Safeguarding Trustee who will action as above.

The same procedure will be in place if the Safeguarding Officer is absent / on leave.

If the Adult at Risk needs immediate medical treatment they should be taken to hospital, or an ambulance called. If the latter is the case, then the ambulance staff should be informed that there is a concern regarding the adult. The CACT Safeguarding Officer should then be informed to take the necessary actions in point previously stated.

For allegations against staff concerning an adult at risk first reports can be made to Department Heads who will inform the Safeguarding Officer or reports can go straight to the Safeguarding Officer.

Once received the Safeguarding Officer will work with SMT and the CACT Personnel Officer to investigate the case and then bring in appropriate responses.

If the abuse is historical (i.e., non-recent abuse) in nature similar reporting procedures will be followed as above.

Information will be shared with appropriate organisations if it is to safeguard an adult at risk from potential abuse of abuse that is already occurring. This will be in line with CACTs Data Protection and Information Sharing Policies. All referrals and information sharing will be handled with the strictest confidentiality, with the consent of the adult at risk (please see guidance on mental capacity below) and only shared with organisations that need to know.

The CACT Designated Safeguarding Officer will collaborate with the CAFC Designated Safeguarding Officers on all relevant reported concerns or issues.

With regards to serious incidents the CACT Major Incident Management Plan may be implemented which includes specific responsibilities of staff and the handling of media interest.

Mental Capacity Act 2005

The Statutory Principles of the Mental Capacity Act 2005 and the importance of the core principles of this Act is clear, with the principles included in the primary legislation, as section 1 (s.1) of the MCA, with chapter 2 of the accompanying 2007 Code of Practice devoted to their application in practice. As the principles have statutory status they are part of the legal framework rather than best practice guidance, and as such **all those working with individuals experiencing problems with their mental capacity or decision-making must ensure that their actions, or inactions, are guided by them.**

The Act states that to make a decision we need to

- Understand information.
- Remember it for long enough.
- Think about the information.
- Communicate our decision.

The five statutory principles are:

1. A person must be assumed to have capacity unless it is established that they lack capacity (s.1 (2)).

2. A person is not to be treated as unable to make a decision unless all practicable steps to help them to do so have been taken without success (s.1 (3)).
3. A person is not to be treated as unable to make a decision merely because they make an unwise decision (s.1 (4)).
4. An act done, or decision made, under this Act for or on behalf of a person who lacks capacity must be done, or made, in their best interests (s.1 (5)).
5. Before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action (s.1)

Consent

Consent must be gained from any Adult at Risk for services being provided by CACT, or for referrals being made from CACT to another agency. In the event of an Adult at Risk not being able to give consent, CACT will try to gain this from the parent or carer depending on the mental capacity of the Adult at Risk.

If a person refuses intervention to support them with a safeguarding concern, or requests that information about them is not shared with other safeguarding partners, their wishes should be respected. However, there are circumstances where a member of CACT staff, (following discussion with the Safeguarding Officer and member of the Executive Team) can reasonably override such a decision, including:

- The person lacks the mental capacity to make that decision – this must be properly explored and recorded in line with the Mental Capacity Act
- Other people are, or may be, at risk, including children.
- The adult is at risk of harming themselves or others.
- Sharing the information could prevent a crime.
- The alleged abuser has care and support needs and may also be at risk.
- A serious crime has been committed.
- Staff are implicated.
- The person has the mental capacity to make that decision, but they may be under duress or being coerced.
- The risk is unreasonably high and meets the criteria for a multi-agency risk assessment conference referral.
- A court order or other legal authority has requested the information.

Whistle blowing

CACT is committed to achieving the highest possible standards of service and the highest possible ethical standards in public life and in all of its practices. To achieve these ends, it encourages freedom of speech. It also encourages staff to use internal mechanisms (whistleblowing) for reporting any malpractice or illegal acts which represent a **safeguarding** concern (harm to an adult at risk) or omissions by its staff or volunteers including ex staff and volunteers.

Internal issues

- If staff and or volunteers have concerns about another staff member or volunteer, then this should be referred to the CACT Designated Safeguarding Officer.
- Where there are concerns about the CACT Safeguarding Officer these should be referred to the CACT Safeguarding Trustee or in their absence the CACT Chief Executive Officer (CEO)
- In both the above the managing allegations procedures will be followed as laid out in section Eight of this policy and will potentially result in the reporting of the incident to the Local Authority Designated Officer (LADO) and statutory services.
- CACT has a separate whistleblowing policy that is available for staff.

External issues

For external issues please contact either the Designated Safeguarding Officer or the Safeguarding Trustee or both. This again could result in the reporting of the incident to the Local Authority Designated Officer (LADO) and statutory services.

Contacts

The Designated Officer / CACT Safeguarding Officer is Barry Simmons 0208 850 2866 / 07816 848677

The Safeguarding Trustee is Ken Palmer ken.palmer@proactivesafeguarding.co.uk

The CACT CEO is Jason Morgan 0208 850 2866

More information can be found in the CACT Whistle Blowing Policy.

Managing allegations against staff and volunteers

All allegations against staff will be taken seriously particularly if they:

- Behaved in a way that has harmed an Adult at Risk, or may have harmed an adult at risk
- Possibly committed a criminal offence against or related to Adult at Risk
- Behaved towards adult at risk in a way that indicates they are unsuitable to work with Adult at Risk.

First reports can be made to Programme Leads who will inform the CACT Safeguarding Officer or reports can go straight to the CACT Safeguarding Officer.

Once received the Safeguarding Officer will work with SMT to investigate the case and then bring in appropriate responses. The CACT Disciplinary Policies and Procedures will be used to guide this process. Appropriate responses could include:

- Referral to the Local Authority Designated Officer (LADO). This will be carried out immediately if this is required.

Royal Greenwich Borough LADO 020 8921 4438

London Borough of Bexley LADO LADO@bexley.gov.uk 020 3045 5543

Kent County Council LADO kentchildrenslado@kent.gov.uk 03000 410888

- If the member of staff is in a Position of Trust then this should be reported to the appropriate Adult Social Care within that respective area.
- If football related informing the County FA, FA Case Management Team and the EFL Trust DSO (all within 72 hours)

Kent FA 01622 791850 info@KentFA.com

London FA 02076108360 info@londonfa.com

FA Case Management Team 0800 0835 902 safeguarding@thefa.com

EFL Trust DSO 01772 325800

- Referral to the Police if the case is of a serious enough nature. The police will become the lead agency if they deem the allegation to be a criminal offence.

Emergency 999

Non-Emergency 101

- Suspension of the member of staff or volunteer whilst the investigation happens or the deployment of either of the latter to alternative work in CACT or the provision of an additional member of staff to work alongside them.
- The CACT Designated Officer has a **legal duty** for a Referral to DBS if is considered the threshold has been met for this. This is a legal requirement under the Safeguarding Vulnerable Groups legislation 2006.

Please see Appendix Two for more details.

The CACT Safeguarding Officer or designated person shall also be responsible for contacting the parents / carers of the adult at risk.

Possible outcomes will be as follows:

- A police investigation of a possible criminal offence.

Enquiries and assessment by adult social care about whether the adult is in need of protection or in need of services.

- Consideration by CACT of disciplinary action in respect of the individual.
- In the context of football related issues any allegation that results in the involvement of the police, Local Authority Adult Safeguarding Board or any other statutory team will result in a referral to the FA and EFL Trust Safeguarding Teams.

The CACT Safeguarding Officer will be responsible for the recording all safeguarding issues and updating records kept about the latter and any referrals made. These records will be kept in a designated locked cabinet and only be accessible to the CACT Safeguarding Officer. As detailed in Section four of this Policy CACT has a Whistleblowing Policy that details the arrangements for reporting issues and incidents in confidence.

Appeals

After any disciplinary action the member of staff subject to the latter has the right to appeal. The Appeal

If the employee wishes to appeal, they must:

- Write to the person named in the letter of outcome within the time frame specified in the written decision (normally within 5 working days from receipt of the outcome)
- Set out any grounds for their appeal along with any supporting documentation.
- State whether they are appealing against the finding that they have committed the alleged act(s), against the penalty imposed or if the procedure was not followed correctly.

The Appeal Hearing

CACT will invite the employee to a meeting to discuss the appeal setting out:

- The date, location, and time for the hearing
- The person who will hear the appeal.
- The right to be accompanied.

At the Appeal Hearing the employee will be allowed to explain their case and the Trust will respond accordingly.

The Outcome of Appeal

The employee will be informed in writing of the decision and of the fact that the appeal was the last stage and that the process has been exhausted.

If a football related incident the member of staff may have the right of appeal to the FA to any suspension placed on them following the FAs procedures. Contact the FA Safeguarding Team for more information on 0808 800 5000.

Please see the flow diagram in Appendix One for more information

Low Level Concerns

A low-level concern means the allegations against that staff member do not meet the harms threshold and this person does not pose an immediate risk towards adults they may be working with.

The staff member in question may have acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work.
- and / or
- is otherwise not considered serious enough to consider a referral to the LADO.

Any Low-Level concerns will be investigated following the CACT investigation process and if appropriate the CACT Disciplinary processes.

CACT Complaints procedure

CACT aims to provide a professional and approachable service for members of the public, customers and all service users who need help, advice and information relating to any aspect of CACT's activities. CACT works hard to ensure that a high level of customer service is provided by all of our employees at all times.

If you have a complaint which is related to the safeguarding of children or adults, you can contact us in the following ways:

By post to:

The CACT Designated Safeguarding Officer
Complaints C/O Administration Officer
Charlton Athletic Community Trust
CAFC Training Ground
Sparrows Lane
New Eltham
SE9 2JR

By telephone: 020 8850 2866

By email: info@cact.org.uk

Office hours are Monday to Friday, 9am to 5pm.

We will acknowledge your complaint within 3 working days of receipt and send a formal response within 21 working days. CACT will attempt to resolve all justifiable complaints within this timescale however, if this cannot be done, CACT will update the complainant on progress of the complaint.

If after 28 days you are dissatisfied with progress made, you have the option of taking the complaint to the Chief Executive, at the above address.

If you are still dissatisfied, you can write to the Chair of the CACT Board of Trustees c/o CACT at the above address and your letter will be forwarded to the Chair.

If you remain dissatisfied with our response you can contact the Charity Commission: www.charitycommission.gov.uk for advice.

Please note that details of all complaints are recorded and if you use this complaints procedure you are agreeing that we can use personal information you send us for purposes connected to your complaint.

Monitoring and review

The CACT Adults at Risk Policy will be reviewed on an annual basis The Policy may also be updated if there are organisational changes or changes due to safeguarding incidents or new legislation.

Contacts

Safeguarding Officer Barry Simmons 0208 850 2866 / 07816 848677
Safeguarding Trustee Ken Palmer ken.palmer@proactivesafeguarding.co.uk

Assessment of partner Adult at Risk policies and procedures

If working in partnership with partners for the purpose of the delivery of programmes and activities CACT will ask as minimum for evidence of

- Adult at Risk Safeguarding Policies and reporting procedures including allegations made against staff and whistleblowing procedures.
- A Designated Safeguarding Officer and their level of training (DSO Level 3 as a minimum)
- Training of staff and at what level and frequency
- Safer recruitment procedures including interview, induction, and probation.
- Staff code of conduct
- Completion of DBS checks if appropriate for the roles.

CACT reserves the right to use their own Safeguarding Policies and Procedures if concerned about the response of a partner to any safeguarding issue. This will be reflected in any Service Level Agreement.

Communication of the Policy

The Adults at Risk Policy will be accessible to parents, cares, and adults in hardcopy and via the CACT website and to coaches and staff via the Shared Drive and BREATHE HR alongside other policies. This will also be available in accessible formats.

Information will also be placed in all CACT facilities where activities take place to inform parents / carers / adults of where they can access the Policy. Where appropriate the CACT Adult at Risk Policy will be physically displayed as well.

Policy review

The CACT Adults at Risk Policy will be reviewed on an annual basis or before if there were any changes in legislation that would have an impact on the current policy and procedures. It will also be reviewed if there are new programmes and activities implemented, major changes in the organisational structure of CACT and if there is a serious incident regarding an Adult at Risk which concerns or affects CACT.

All reviews will be adopted and signed off by the CACT Board of Trustees on an annual basis.

As part of the review CACT will ensure that any adults at risk whom CACT is working will be consulted within the review and development of any future policies.

Reviewed	03/03/2017.
Reviewed	03/03/2018.
Reviewed	26/08/2018.
Reviewed	03/05/2019.
Reviewed	08/07/2019.
Reviewed	10/06/2020.
Reviewed	09/06/2021.
Reviewed	10/06/2022.
Reviewed	10/05/2023.

Next Review May 2024 or before if there are changes in practice and or legislation.

Signed CACT Designated Safeguarding Officer



Signature

Name Barry Simmons

Position CACT Designated Safeguarding Officer

Date

Endorsement by CACT Safeguarding Trustee

As Safeguarding Trustee, I endorse this Policy to be current and a true reflection of Charlton Athletic Community Trusts Safeguarding policies and procedures.



Signature

Name Ken Palmer

Position CACT Safeguarding Trustee

Date

Endorsement by the CACT CEO

As the Chief Executive Officer, I endorse this Policy to be current and a true reflection of Charlton Athletic Community Trusts Safeguarding policies and procedures.

Signed



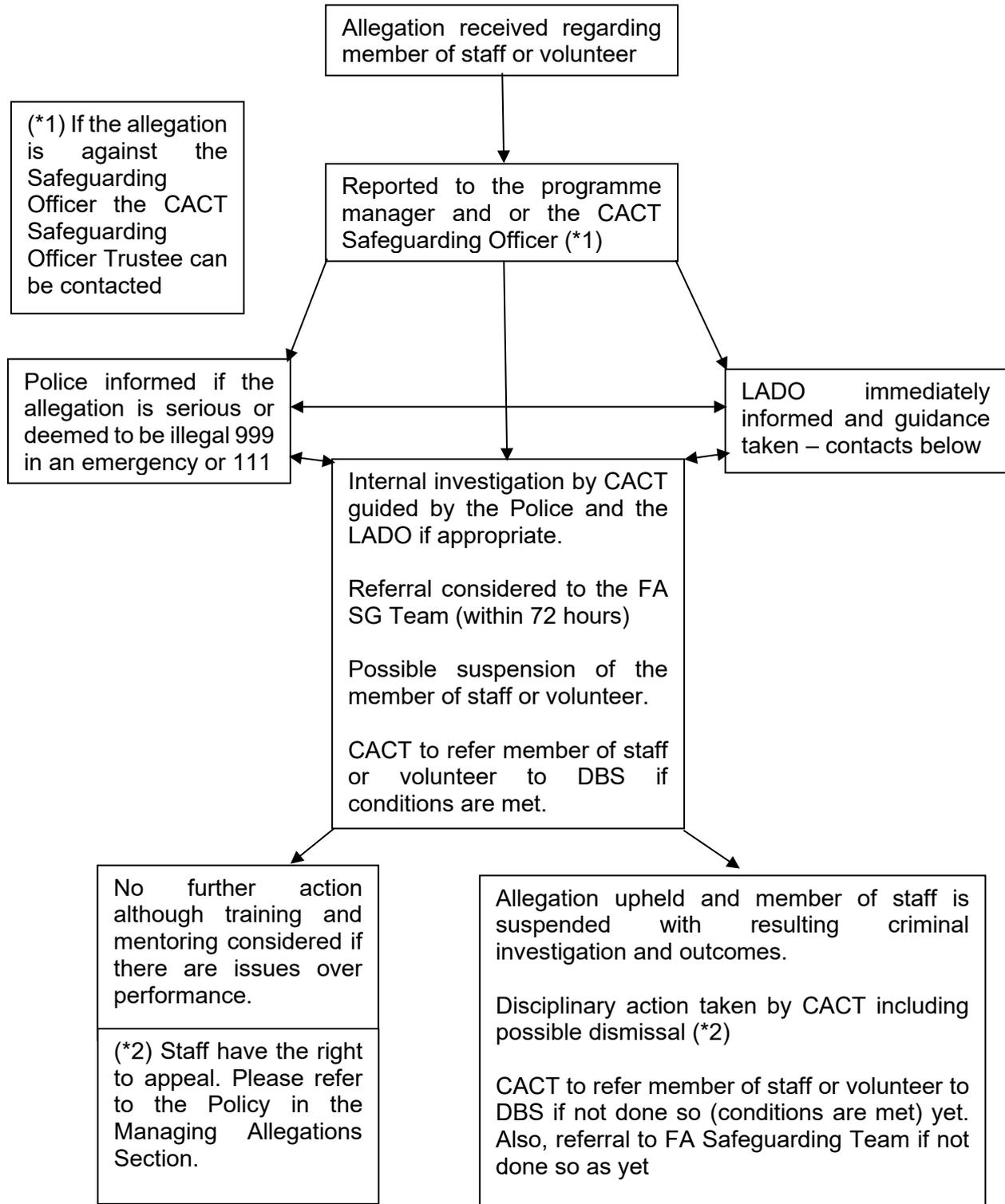
Name Jason Morgan

Position CACT CEO

Date 01/07/2023

Appendix One

Managing Allegations against Staff and Volunteers



Appendix One Contacts

Royal Greenwich Borough LADO 020 8921 4438
London Borough of Bexley LADO LADO@bexley.gov.uk 020 3045 5543
Kent County Council LADO kentchildrenslado@kent.gov.uk 03000 410888
FA Case Management Team 0800 0835 902 safeguarding@thefa.com

Appendix Two

Abuse and Neglect (Ann Craft Trust)

Abuse is a violation of an individual's human and civil rights by another person or persons. It can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. Any or all of the following types of abuse may be perpetrated as the result of deliberate intent, negligence, omission, or ignorance.

There are different types and patterns of abuse and neglect and different circumstances in which they may take place.

Safeguarding legislation in each home nation lists categories of abuse differently however, they all include the following types of abuse:

- Physical
- Sexual
- Psychological
- Neglect
- Financial

Abuse can take place in any relationship and there are many contexts in which abuse might take place, e.g., Institutional abuse, Domestic Abuse, Forced Marriage, Human Trafficking, Modern Slavery, Sexual Exploitation, County Lines, Radicalisation, Hate Crime, Mate Crime, Cyber bullying, Scams. Some of these are named specifically within home nation legislations.

- A spouse, partner, or family member
- Neighbours or residents
- Friends, acquaintances, or strangers
- People who deliberately exploit adults they perceive as vulnerable
- Paid staff, professionals or volunteers providing care and support

Often the perpetrator is known to the adult and may be in a position of trust and/or power.

Abuse can take place within a sporting context and the person causing harm might be any other person. For example: a member of staff, a coach, a volunteer, a participant, or a fan.

Some examples of abuse within sport include:

- Harassment of a participant because of their (perceived) disability or other protected characteristics.
- Not meeting the needs of the participant e.g., training without a necessary break.
- A coach intentionally striking an athlete
- One elite participant controlling another athlete with threats of withdrawal from their partnership
- An official who sends unwanted sexually explicit text messages to a participant with learning disabilities.
- A participant threatens another participant with physical harm and persistently blames them for poor performance.