

Employment Law Fact Sheet No. 5a

SAFEGUARDING: UNDERSTANDING THE RISKS



Who is most at risk?

Anyone can be at risk of abuse. People are at risk at different times and in different situations.

Children and young people

All organisations and individuals have a responsibility to safeguard children. A child is anyone under the age of 18.

Adults at risk

Any adult may experience abuse or harm. However, certain people are considered to be at greater risk so are given more protection by law.

An adult at risk is anyone aged 18 or over who:

- has needs for care and or support
- as a result of care and support needs is unable to protect themselves from abuse
- is currently experiencing or is at risk of abuse.

Adults at risk may:

- have a mental or physical illness
- have a learning disability
- have addiction problems
- be frail.

Whether an adult is at risk or not is not fixed and can change with their circumstances.

Your staff or any volunteers

Protecting your staff and any volunteers is not necessarily safeguarding – but you do have a duty to keep them safe. This means paying attention to the particular types of harm that can develop within an organisation.

Types of abuse and harm

You need to be aware of several types of harm.

- Physical
- Sexual
- Emotional
- Psychological
- Neglect
- Radicalisation
- Discriminatory
- Financial

The age of consent

The age of consent (the legal age to have sex) in the UK is 16 years old.

To help protect younger children the law says anyone under the age of 13 can never legally give consent. This means that anyone who engages in any sexual activity with a child who is 12 or younger is breaking the law. Sexual activity with a child who is under 13 should always result in a child protection referral.

The law gives extra protection to young people who are over the age of consent but under 18. It is illegal:

- to take, show or distribute indecent photographs of a child (this is often called sexting)
- to pay for or arrange sexual services of a child
- For a person in a position of trust to engage in sexual activity with anyone under the age of 18 who is in the care of their organisation.

Adults in a position of trust - meaning where an individual employs, cares for, advises, mentors, supervises or coaches a young person or adult at risk in the context of their training or work - must not enter into an inappropriate sexual relationship with a young person or adult at risk. This will often be a breach of trust and an abuse of the relevant adult's position.

Policies and procedures

It is important to have key documents and access to resources that help you to manage safeguarding well. You must have them if you work regularly with children or adults at risk. It is advisable even if you don't. The documents set out what you will do to keep people safe.

Your policy should cover all the key risks for the groups you work with and the activities you do.

Everyone should be aware of how you manage safeguarding. Your policy and procedures should be easily available, either online or on paper (or both).

Recognise, respond and report

The policy (example provided) should explain how people can make their worries known and how you will handle any problems and set out:

- who to speak to
- how issues should be reported
- where information will be stored and shared internally
- how you'll share this with police, social services or regulators if necessary.

When you do safeguarding well, you reduce the risk of harm and abuse for you, your team and all the children and adults you work with. There will still be issues to deal with, but a safer organisation prepares people so they're ready to deal with problems when they happen. Leaders must make sure everyone feels respected and safe so they are able to speak up.

Recognising signs of harm and abuse

The more that staff know about possible warning signs, the more likely they are to recognise abuse and take action. The more directly your staff work with children or adults at risk, the more information about recognising the different types of harm and abuse they should know.

Remember people don't need to be certain before they speak up. If anyone in your organisation is ever worried about someone, they should always speak to the person responsible for safeguarding.

Five statements that help encourage people to speak up

- We must all stand up for people who can't speak up for themselves.
- Speaking up if you're worried someone is harming or abusing someone else is always the right thing to do. It's not the same as 'snitching' or 'being a grass'.
- People are often worried that if they report someone for doing wrong, they'll hurt that person. But doing nothing could hurt others even more.
- There are many reasons why people might feel uncomfortable or be scared to report suspicions of abuse. That's ok. It's worth fighting those fears so you can help someone.
- If you speak up, your organisation should protect you and make sure you're not harmed or criticised for it.

Bullying vs banter

Bullying is behaviour that hurts someone else.

An individual can perceive something to be bullying even when others may not.

It can happen anywhere – in the yard, at home or online. It's usually repeated over a long period of time and can hurt both physically and emotionally.

Bullying can include, but is not limited to:

- verbal abuse, such as name calling and gossiping
- exclusion, such as ignoring or isolating someone
- racial, sexual or homophobic bullying
- physical assaults, such as hitting and pushing
- online or cyberbullying.

Bullying that happens online, using social networks, games or mobile phones is Cyber bullying.

British Horseracing Authority

As the national governing body of racing, the BHA has a particular duty to protect young people and adults at risk from harm that may arise from their participation in racing activities. It has a dedicated safeguarding team that is available to help those in the racing and stud world – including unlicensed personnel or organisations.

All safeguarding concerns should be dealt with sensitively and promptly.

Information should only be shared with:

- Police
- Social Care/LADO
- Racing School or appropriate Safeguarding Officer
- BHA Lead Safeguarding Manager

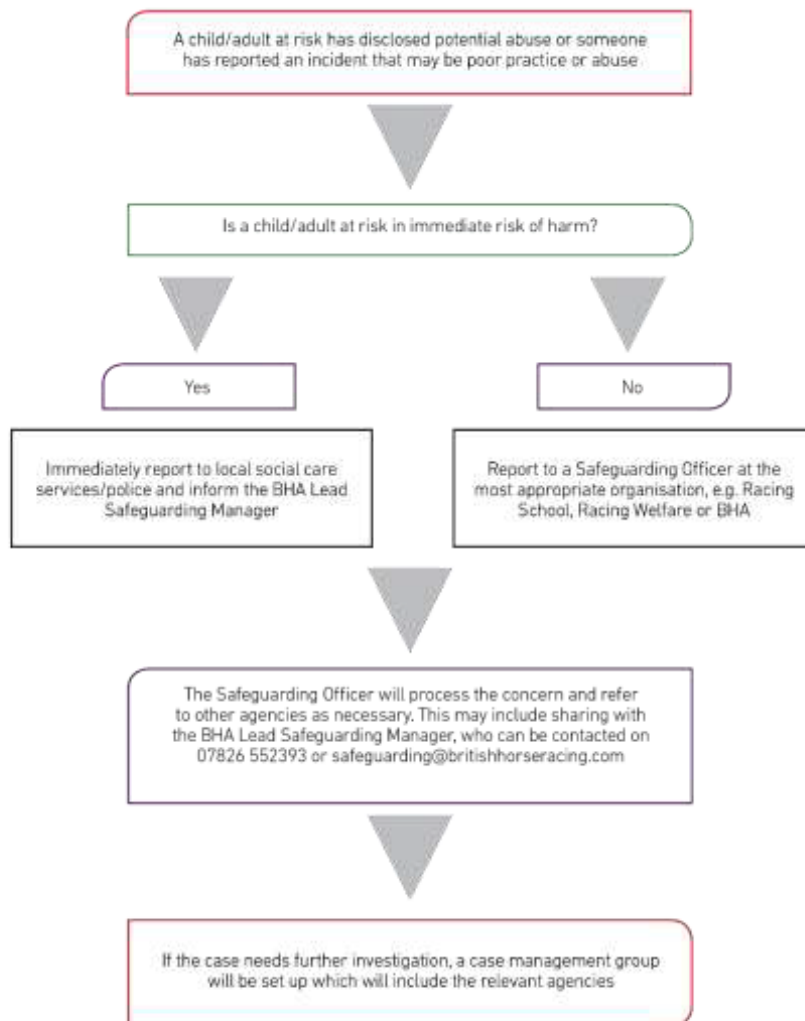
Remember: Information should NOT be discussed in open forums.

BHA Safeguarding Manager = Matt Mancini 07826 552393

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<https://www.britishhorseracing.com/regulation/safeguarding/>

SAFEGUARDING FLOWCHART



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