

## PEOPLE POLICY ON PROTECTING VULNERABLE INDIVIDUALS

This policy applies to all paid staff, volunteers, contractors, agency workers and anyone working on behalf of Chest Heart & Stroke Scotland.

The scope of this policy extends to third parties, e.g. service users, community hub groups and customers where appropriate.

This policy replaces the People Policy on Protecting Vulnerable Individuals – May 2019

In addition, this policy is in compliance with the CHSS No Life Half Lived Strategy goal: “*To be effective and accountable in all that we do*”. The Strategy outlines:

*“Keeping our people safe and well is not only a statutory obligation, it is central to our ethos and values as a charity. The understanding and knowledge of the importance of safeguarding is growing and the trust and confidence that the public and our stakeholders have in us is something we value and respect. To ensure we keep our people safe and well, we will carry out a full safeguarding review and develop iterative and systematic processes in line with expert advice.”*

In line with our commitment to equal opportunities, this policy can be made available in a variety of formats, including large print, translated into another language or other media. Reasonable adjustments will also be made to assist individuals who have a disability.

### 1. Our Human Rights Approach

1.1 CHSS takes a human rights-based approach, meaning we place human rights at the very centre of our policies and practices. We aim to empower people to know and claim their rights, promoting the following values:

- Participation – involving people in decisions that affect their rights
- Accountability – monitoring how people’s rights are being affected
- Non-Discrimination and Equality – ensuring fairness and inclusion
- Empowerment – supporting employees and volunteers to participate in policy development
- Legality – complying with domestic and international legislation

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## 2. Our Values

2.1 Our values are at the heart of what we do. We have developed six values to guide us in delivering our No Life Half Lived strategic goals. Our Protection of Vulnerable Individuals Policy integrates these values in the following ways:

- Agile – safeguarding will remain a priority as we adapt to the needs of our people and the environment we work in.
- Innovative – we will look to continuously improve our safeguarding processes and procedures.
- Inclusive – we will adopt a human rights based approach to safeguarding.
- Accountable – we will audit our safeguarding processes and ensure decision-makers follow clear and fair processes.
- Collective – we will work together and learn from each other to promote a safeguarding culture across the organisation.
- Courageous – we will encourage our staff and volunteers to report safeguarding concerns.

## 3. Definitions

3.1 **Child** – a child can be defined differently in different legal contexts. This policy defines a child as an individual under the age of 18, in line with the Children and Young People (Scotland) Act 2014.

3.2 **Protected Adult** – a Protected Adult is an individual over the age of 16 who is provided with care, health, community care or welfare services.

3.3 According to the [National Guidance for Child Protection in Scotland \(2014\)](#), young people aged between 16 and 18 are potentially vulnerable to falling 'between the gaps' and local services must ensure that processes are in place to enable staff to offer ongoing support and protection as needed.

3.4 **Regulated Work** – The definition of regulated work involves detailed criteria; for the purposes of CHSS the undernoted roles are designated as regulated work.

- Service Delivery staff, volunteers and student placements providing direct healthcare and welfare support.
- Peer Group Committee Members and volunteers providing direct supervision.
- CHSS Board of Trustees.

## 4. Statement of Intent

4.1 The purpose of this policy:

- To protect vulnerable individuals who, directly or indirectly, receive Chest Heart & Stroke Scotland's services, as well as vulnerable individuals who work, volunteer or are involved within the scope of CHSS activities.

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- To develop a safeguarding culture within the organisation whereby everybody supporting CHSS takes responsibility for the protection of vulnerable individuals.
- To define CHSS responsibilities for the protection of vulnerable individuals.
- To outline the steps taken by CHSS to ensure these responsibilities are undertaken in an effective and accountable way.

4.2 Chest Heart & Stroke Scotland, through this policy and any related policies, aims to ensure that, to the best of our ability, no individual from a vulnerable group (child or protected adult) will be harmed whilst in receipt of our services or supporting our activities.

4.3 In addition, we will respond as a priority and at the earliest opportunity should we suspect, or should a vulnerable individual disclose, that they are suffering harm in relation to our activities.

## 5. Legal & Internal Policy Framework

5.1 This policy has been drawn up on the basis of law and guidance that seeks to protect vulnerable individuals, namely:

- Rehabilitation of Offenders Act 1974 (as amended)
- Human Rights Act 1998
- Data Protection Act 1998/General Data Protection Register Regulations 2018
- Sexual Offences Act 2003
- Safeguarding Vulnerable Groups Act 2006
- Protection of Vulnerable Groups (Scotland) Act 2007
- The Adult Support and Protection (Scotland) Act 2007
- Children and Families Act 2014
- Children and Young People (Scotland) Act 2014
- The Duty of Candour Procedure (Scotland) Regulations 2018
- Management of Offenders (Scotland) Act 2019
- Age of Criminal Responsibility (Scotland) Act 2019
- Disclosure (Scotland) Act 2020

5.2 This policy should be read alongside our policies and procedures on:

- Safeguarding Policy
- Duty of Candour Policy
- Learning & Development Policy
- Dignity at Work Policy
- Grievance Policy
- Whistleblowing Policy
- External Complaints Policy
- Volunteer Policy
- Lone Working Procedure
- Child Protection Policy (under review)
- Volunteer Policy
- Recruitment of Ex-offenders Policy
- Equality and Diversity Policy
- Volunteer Complaint Policy
- Recruitment and Selection Policy
- Social Media Policy
- Volunteer Recruitment Policy
- Code of Conduct

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- PVG and Disclosure Procedure
- Young People and Work Experience Procedure
- Health and Safety Management System
- HR Protocol on NMC Registrations
- Gifts and Hospitality Statement

## 5. Vulnerable Individuals and CHSS Activities

- 5.1 Chest Heart & Stroke Scotland provides a wide range of services throughout Scotland. The majority of our service users are classed as vulnerable adults, and CHSS recognises that employees, volunteers and members of the wider community associated with CHSS's activities may also be classed as vulnerable individuals themselves.
- 5.2 There are also many child protection considerations with regards to CHSS activities. We involve children aged 16-17 in a variety of volunteering, employment and work experience roles, and we also recognise the importance of safeguarding children through our work in the community, for example our shops and Community Hubs.

## 6. Responsibilities

### Chest Heart & Stroke Scotland

- 6.1 As an organisation providing services to vulnerable individuals and supported by vulnerable individuals, Chest Heart & Stroke Scotland must:
- Establish robust safeguarding policies and procedures which are aligned with the policies and procedures of local council Adult Protection Committees.
  - Ensure that staff, volunteers and anyone working on behalf of CHSS are aware of these policies and procedures and the requirement to adhere to them at all times
  - Ensure all staff and volunteers receive regular training on child protection and/or working with adults at risk.
  - Appoint a safeguarding lead to work with local Adult Protection Committees.
  - Effectively manage concerns, complaints, whistleblowing and allegations relating to child protection or adults at risk.
  - Have clear policies on criminal conviction disclosure requirements, how the level of check needed is assessed and how we handle the information.
  - Follow relevant legislation and guidance.

### Individuals

- 6.2 All individuals in society have an obligation to safeguard children and vulnerable adults. Whilst there are teams of experts whose job is to ensure children and vulnerable adults are removed from harmful situations, it is often other contacts who first identify causes for concern.

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- 6.3 In providing a service to, or supported by, vulnerable individuals - it is imperative that all paid staff, volunteers, contractors, agency workers and anyone working on behalf of Chest Heart & Stroke Scotland follow the [CHSS Code of Conduct](#).
- 6.4 All paid staff, volunteers, contractors, agency workers and anyone working on behalf of Chest Heart & Stroke Scotland must be aware of this policy and adhere to it at all times.
- 6.5 Managers of staff / volunteers should be attuned to interactions between members of their team and vulnerable individuals. Any cause for concern should be addressed immediately following the reporting concern procedure outlined in Appendix 2.
- 6.6 When working directly through a partner organisation, due diligence must be undertaken to ensure the appropriate safeguarding arrangements are in place. This includes obtaining evidence of satisfactory safeguarding policies and / or procedures and confirming this requirement within agreements or terms and conditions.

## 7. Recognising and Reporting Concern

- 7.1 Safeguarding concerns can come in many different forms, they may come to light instantly, or be recognised gradually over time. If you are concerned that a vulnerable individual is at risk of being abused or neglected, you should not ignore your suspicions and should not assume that someone else will take action to protect that person.
- 7.2 There are many different kinds of abuse which can take place. It is important to be aware of signs of abuse in order to recognise and take action to prevent and stop it. For examples of types and signs of abuse, please see Appendix 1.
- 7.3 It is important that safeguarding concerns and incidents are recorded securely and appropriately. When a safeguarding concern is raised, you should complete a Reporting Safeguarding Concern Form. For further information on what to do if you have a safeguarding concern, please refer to the Reporting Concern Process Map (Appendix 2) and [CHSS Safeguarding Policy](#).
- 7.4 All parties will be fully supported throughout and following any investigation. Contact will be maintained, and the individual(s) may be signposted to counselling services if required.

## 8. Recruitment Processes

- 8.1 CHSS takes the following steps to ensure that the staff and volunteers we recruit are suitable individuals to work with vulnerable groups.
- 8.2 Recruitment decisions should be made having considered all the information available from a range of sources. This includes; application form, interview, 2 references and a new Basic Disclosure certificate or CHSS Protecting Vulnerable

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Groups (**PVG**) scheme record statement, in accordance with the CHSS Recruitment and Selection Policy and Volunteer Recruitment Policy.

- 8.3 CHSS use application forms in place of curriculum vitae in order to obtain a common set of core data. This reduces opportunities for applicants to omit relevant details.
- 8.4 Interviews should be conducted in a way that encourages the applicant to talk about their understanding of safeguarding responsibilities and previous experience with vulnerable groups (if applicable).
- 8.5 Offers of employment and volunteering are subject to the receipt of two satisfactory references and either a satisfactory Basic Disclosure certificate or PVG scheme membership statement. Please refer to the CHSS Recruitment of Ex-Offenders Policy for further information on how disclosure details are used.
- 8.6 References should be obtained from a current line manager if the applicant is employed, this person should have sufficient knowledge of the individual to fairly assess them. Volunteers may provide character references from community figures, for example neighbours, teachers or ex employers.
- 8.7 Where possible, references and disclosure checks should be obtained within 4 weeks of the staff member or volunteer's start date. Where satisfactory references and disclosure checks are not completed within these timescales, the role may be withdrawn.

## 9. Training

- 9.1 During their induction period, all staff and volunteers are introduced by their line manager to the culture and values of CHSS. Introduction to their role is then imparted in the context of that culture, including respecting the rights of vulnerable individuals.
- 9.2 All CHSS staff are required to complete Safeguarding Adults (Level 2) e-learning module. All CHSS volunteers will also be required to complete this e-learning module.
- 9.3 All CHSS staff and volunteers are required to read and sign the Safeguarding Policy.
- 9.4 All service users, staff and volunteers are given information outlining their rights and responsibilities or role which includes information relating to the charity's [guidance on giving and receiving of gifts](#).
- 9.5 All individuals involved in service provision undertake mandatory moving and assisting training. Where appropriate to their role individuals attend Roles, Responsibilities and Boundaries training.
- 9.6 A Safeguarding training programme is currently in development for all CHSS staff and volunteers. This will be delivered on an ongoing basis by the Safeguarding

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Coordinator and will include a Safeguarding induction for new staff, as well as training on CHSS's Safeguarding approach and policies and departmental considerations in the protection of vulnerable groups.

- 9.7 Individual staff members access further local training in relation to the Protection of Vulnerable Groups where that is available and relevant to their role. The Safeguarding Group keep an overview of training requirements from an organisational perspective and will arrange additional training as required.

## 10. Management and supervision

- 10.1 Line managers must be familiar with all staff and/or volunteers for whom they line manage. There should be regular, one to one and/or team, meetings where all parties can have input into the agenda and debate is encouraged. This two-way exchange of information provides an opportunity for the line manager to observe interactions in their team, reinforce the culture of the organisation and check attitudes in relation to vulnerable groups. Where staff / volunteers are directly involved in working with vulnerable individuals, line managers may also identify regular opportunities to observe their staff / volunteers undertaking their role.
- 10.2 There must be no 1:1 working between an adult CHSS worker and any volunteers, employees or individuals involved in work experience placements aged 16-17. Best practice is for a minimum of two adult CHSS workers to be present where possible and for a maximum of two individuals aged 16-17 at any given time. [Parental consent](#) must be given before an individual aged 16-17 starts in their role.
- 10.3 Any cause for concern should be addressed immediately following the CHSS Reporting Safeguarding Concern Procedure. Please refer to the CHSS [Safeguarding Policy](#) for further information.

## 11. Policy Compliance

- 11.1 Compliance with this policy is the responsibility of all staff, volunteers, contractors, agency workers and anyone working on behalf of Chest Heart & Stroke Scotland.
- 11.2 Where an individual is under investigation, charged with or found guilty of a criminal offence, they must notify the Designated Safeguarding Lead – Director of People Driven Development immediately. The charge or criminal offence will be considered and whether there is in fact as a breach of policy that should be reported as a notifiable event.
- 11.3 Should any individual breach this policy, it will be considered as misconduct. The procedure to be applied will depend on whether they are:
- An employee – this will be dealt with under [CHSS's grievance policy](#) and/or [disciplinary policy](#) and any appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice. The use of CHSS's employee complaints and/or disciplinary procedures

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does not affect an employee's right to make a claim to an employment tribunal within three months of the alleged discrimination.

- An agency worker or an individual on placement – this will be dealt with through the relevant agency/placement provider.
- A Volunteer – this will be dealt with under CHSS's [Volunteer Complaints Policy](#). A potential consequence may be the withdrawal of the Volunteer role.

11.4 The Executive Team will be responsible for ensuring this policy is adhered to within their own department and across the services they provide.

11.5 The People Driven Development Team will be responsible for providing support and promoting safeguarding, health, safety and wellbeing. This team includes:

- Director of People Driven Development (Designated Safeguarding Lead)
- Safeguarding Coordinator
- Head of Human Resources & Organisational Development
- Human Resources Business Partner
- Human Resources Operations Lead
- Human Resources Operations Officer
- Human Resources Administrator
- Volunteer Coordinator
- Volunteer and Community Development Lead

11.6 Information relating to this policy will be shared at Staff Governance Committee meetings.

11.7 This policy has been reviewed by the CHSS Safeguarding Group who lead on creating, maintaining, supporting and auditing the safeguarding responsibilities of CHSS.

11.8 This policy has been developed in compliance with GDPR legislation

11.9 This policy is also supported by the Audit & Compliance Lead

11.10 They are available to give advice and interpretation on any aspect of this policy.

## 12. Monitoring and Review

12.1 Any breaches of this policy will be reported to the Chief Executive by the Designated Safeguarding Lead at their next available meeting as a notifiable event. Information reported will be anonymised but will confirm the relevant action CHSS has taken.

12.2 The Executive Team and Staff Governance Committee will discuss anonymised safeguarding breaches at their meetings and ensure any internal and external actions have been taken to safeguard individuals and the charity.

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- 12.3 Any breach of this policy will be referred to The Scottish Charity Regulator (OSCR) by the Designated Safeguarding Lead.
- 12.4 The policy will be reviewed every 3 years or earlier if there is a change in legislation or if deemed appropriate. In the event that this policy is not reviewed within the above timescale, the latest approved policy will continue to apply.

**Safeguarding Inbox**

This inbox is accessed by authorised personnel only.  
[safeguarding@chss.org.uk](mailto:safeguarding@chss.org.uk)

**Safeguarding Number**

0131 609 0252  
 9am-4:30pm Monday-Friday

**Designated Safeguarding Lead (DSL)**

Name: Paul Okroj  
 E-mail: [paul.okroj@chss.org.uk](mailto:paul.okroj@chss.org.uk)

**Head of Human Resources & Organisational Development**

Name: Carol Pake  
 E-mail: [carol.pake@chss.org.uk](mailto:carol.pake@chss.org.uk)

**Safeguarding Coordinator**

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Name: Dean Elder  
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## Appendix 1: Different Forms of Abuse and Neglect

Types of abuse	Signs of abuse
<p><b>Sexual abuse</b> This includes:</p> <ul style="list-style-type: none"> <li>• indecent exposure</li> <li>• sexual harassment</li> <li>• inappropriate looking or touching</li> <li>• sexual teasing or innuendo</li> <li>• sexual photography</li> <li>• being forced to watch pornography or sexual acts</li> <li>• being forced or pressured to take part in sexual acts</li> <li>• rape</li> </ul> <p><b>Physical abuse</b> This includes:</p> <ul style="list-style-type: none"> <li>• being hit, slapped, pushed or restrained</li> <li>• being denied food or water</li> <li>• not being helped to go to the bathroom when you need to</li> <li>• misuse of your medicines</li> </ul> <p><b>Psychological abuse</b> This includes:</p> <ul style="list-style-type: none"> <li>• emotional abuse</li> <li>• threats to hurt or abandon you</li> <li>• stopping you from seeing people</li> <li>• humiliating, blaming, controlling, intimidating or harassing you</li> <li>• verbal abuse</li> <li>• cyberbullying and isolation</li> <li>• an unreasonable and unjustified withdrawal of services or support networks</li> </ul> <p><b>Domestic abuse</b> This is typically an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is, or has been, an intimate partner or family member.</p> <p><b>Discriminatory abuse</b> This includes some forms of harassment, slurs or unfair treatment relating to your:</p> <ul style="list-style-type: none"> <li>• race</li> <li>• gender and gender identity</li> <li>• age</li> <li>• disability</li> <li>• sexual orientation</li> </ul>	<p>It's not always easy to spot the signs of abuse. Someone being abused may make excuses for why they're bruised, may not want to go out or talk to people, or may be short of money.</p> <p>It's important to know the signs of abuse and, where they are identified, share your concerns following the Reporting Concern Procedure (Appendix 2). If you wait, it could delay matters and allow the abuse to continue.</p> <p>Behavioural signs of abuse can include:</p> <ul style="list-style-type: none"> <li>• becoming quiet and withdrawn</li> <li>• being aggressive or angry for no obvious reason</li> <li>• looking unkempt, dirty or thinner than usual</li> <li>• sudden changes in their character, such as appearing helpless, depressed or tearful</li> <li>• physical signs – such as bruises, wounds, fractures or other untreated injuries</li> <li>• the same injuries happening more than once</li> <li>• not wanting to be left by themselves, or alone with particular people</li> <li>• being unusually lighthearted and insisting there's nothing wrong</li> </ul> <p>Also, their home may be cold, or unusually dirty or untidy, or you might notice things missing.</p> <p>Other signs include a sudden change in their finances, such as not having as much money as usual to pay for shopping or regular outings, or getting into debt. Watch out for any official or financial documents that seem unusual, and for documents relating to their finances that suddenly go missing.</p>

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**Financial abuse**

This could be someone stealing money or other valuables from you. Or it might be that someone appointed to look after your money on your behalf is using it inappropriately or coercing you to spend it in a way you're not happy with.

Internet scams and doorstep crime are also common forms of financial abuse.

**Neglect**

Neglect includes not being provided with enough food or with the right kind of food, or not being taken proper care of.

Leaving you without help to wash or change dirty or wet clothes, not getting you to a doctor when you need one or not making sure you have the right medicines all count as neglect.

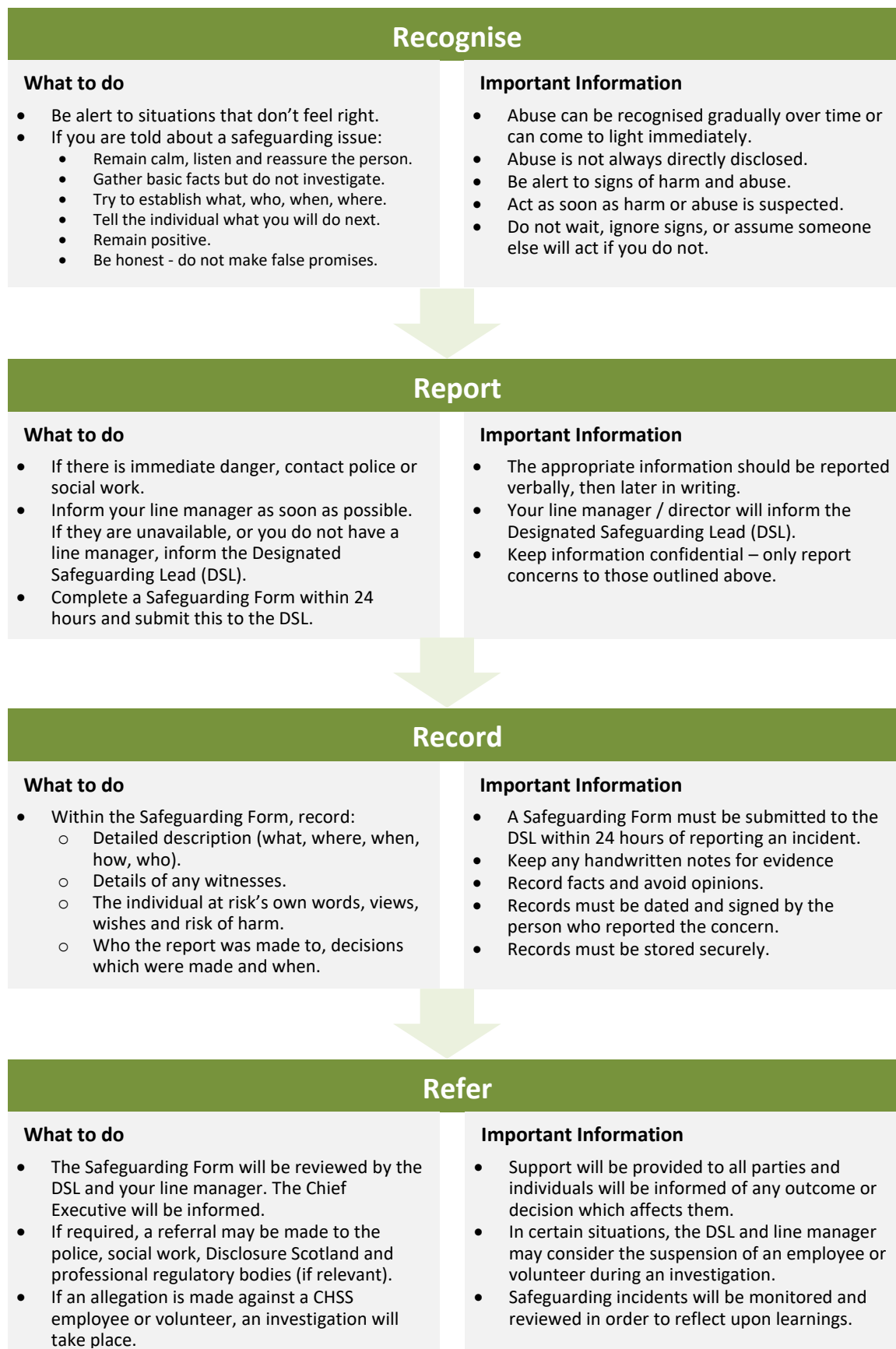
Source: [www.nhs.uk](http://www.nhs.uk)

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## Appendix 2: Reporting Concern Process Map



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### Appendix 3: Reporting Safeguarding Concern Form

The Reporting a Safeguarding Concern or Incident Form can be found by clicking [this link](#).

The information provided in this form, along with any notes taken, may need to be shared with external agencies in the event of referral and may act as evidence in an investigation.

**IMPORTANT: If you or another individual's safeguarding is of a concern:**

If you or the individual are in immediate danger, you should phone the Police or emergency social worker/agency, as appropriate.

If you or the individual are in less immediate danger, you should inform your line manager as soon as possible. If you are unable to contact your line manager for any reason, you should contact: Paul Okroj – Designated Safeguarding Lead on 07703737766 or [paul.okroj@chss.org.uk](mailto:paul.okroj@chss.org.uk).

In both cases, you **MUST** complete this form and submit it within 24 hours of any incident or raised concern.

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