

SAFEGUARDING POLICY

THE VIRGIN MONEY FOUNDATION ("the Foundation/us/we")

1. OUR COMMITMENT TO SAFEGUARDING

- 1.1 We are committed to supporting individuals and organisations to bring change in their own local community and, through our grant-making, in particular, we have a strong commitment to protect those most at risk. We will not tolerate practices which promote or facilitate abuse, harm and / or exploitation by grant recipients, their staff or persons associated with them.
- 1.2 Our trustees have a legal duty to act prudently which means that they must take all reasonable steps within their power to ensure that those benefiting from our funding are not harmed. This is particularly important where beneficiaries are children and young people under 18 years of age, or vulnerable adults in receipt of Regulated Activities ("vulnerable groups").
- 1.3 We recognise that some individuals and organisations that we fund do come into contact with, work with or provide activities for vulnerable groups. Your organisation may also be carrying out Regulated Activities and engaging people to work in Regulated Activity (as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended)).
- 1.4 This policy applies to, and must be followed by, each of our grant recipients (**you**) to the extent applicable to their work/activity/operation.

2. SCOPE OF THIS POLICY

This policy applies to all individuals and organisations in receipt of grant funding from the Foundation.

3. YOUR COMMITMENT TO SAFEGUARDING

- 3.1 If you are an organisation, we expect you to:
 - 3.1.1 Take all steps within your power to ensure that children and vulnerable adults with whom you come into contact are protected and kept safe.
 - 3.1.2 Ensure that all vulnerable groups have the same protection regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, or any characteristic – everyone has a right to be kept safe.
 - 3.1.3 Comply, where appropriate, with the government inter-agency statutory guidance including [Working together to safeguard children](#) (as may be replaced or updated from time to time) unless exceptional circumstances arise.
 - 3.1.4 Have a named person with a clearly defined role and responsibilities in relation to child protection and safeguarding, appropriate to the level at which s/he operates.

- 3.1.5 Have relevant safeguarding policies in place which are robustly enforced and reviewed annually or when relevant changes to legislation occur (whichever is earlier) by a relevant governance committee.
- 3.1.6 Provide your staff with training on your safeguarding policy as part of their induction, and ensure they receive refresher training on the policy shortly after the policy is next reviewed and updated.
- 3.1.7 Demonstrate a commitment to safe recruitment, selection and vetting. For example:
- (a) Where you are working with vulnerable groups in the UK:
- (i) You must ensure that all individuals employed or engaged to work in regulated activities are subject to a valid enhanced disclosure check for regulated activity undertaken through the Disclosure and Barring Service (or its successor body); it is a criminal offence for you to permit a person to engage in regulated activity if you know or have reason to believe that person is barred.
 - (ii) Where it is not possible to request a DBS check (e.g. because the individual is a non UK national), then you must use all reasonable endeavours to obtain a 'Certificate of Good Conduct' or equivalent document(s) from the relevant country's police force.
 - (iii) You must monitor the level and validity of the checks carried out for each member of staff.
- (b) Where you are a charity and are looking to recruit a trustee:
- (i) You must comply with the Charity Commission's guidance, [Finding new trustees \(CC30\)](#) (as may be replaced or updated from time to time) in relation to the checks and safeguards that must be in place when recruiting trustees (assuming that you are a charity).
- 3.1.8 Have in place systems to ensure that all staff working with vulnerable groups are monitored and supervised and that they have opportunities to learn about child protection and other issues relevant to their roles and responsibilities.
- 3.1.9 Have a clear process for recording incidents, concerns and referrals, and dealing with those through proper procedure and investigation, and ensure that referrals and reports to the statutory safeguarding partners are made properly and promptly.
- 3.1.10 Foster a culture in which your staff, volunteers and anyone else with whom you come into contact are encouraged to notify you of any safeguarding concerns or incidents as they arise.
- 3.1.11 Inform the Foundation immediately of significant safeguarding concerns or incidents that take place within your organisation and in particular (but not exclusively) any incident that you report to the Charity Commission as a serious incident.
- 3.1.12 Work with the Foundation in preparing regulatory disclosures with respect to any safeguarding concern or incident, including the preparation and submission of its own Serious Incident Reports to the Charity Commission.

- 3.1.13 Have clear guidance on confidentiality and information sharing.
 - 3.1.14 Have in place a code of behaviour for staff, with the consequences of breaching the code clearly linked to disciplinary and grievance procedures and/or termination of their contract.
- 3.2 If you are an individual grant recipient, we expect you to:
- 3.2.1 take all steps within your power to ensure that children and vulnerable adults with whom you come into contact are protected and kept safe, especially in relation to any project for which we provide you with funding.
 - 3.2.2 ensure that all vulnerable groups have the same protection regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, or any characteristic – everyone has a right to be kept safe.
 - 3.2.3 comply, where appropriate and to the extent it applies to individuals coming into contact with children and vulnerable adults, with the government inter-agency statutory guidance including Working together to safeguard children (as may be replaced or updated from time to time) unless exceptional circumstances arise.
 - 3.2.4 (if you will be undertaking Regulated Activity) apply for and obtain a valid enhanced disclosure check for regulated activity undertaken through the Disclosure and Barring Service (or its successor body) (we will expect you to declare any such Regulated Activity to us as part of the application process).
 - 3.2.5 inform the Foundation immediately of significant safeguarding concerns or incidents that take place in relation to the project for which you are being funded .
 - 3.2.6 work with the Foundation in preparing regulatory disclosures with respect to any safeguarding concern or incident, including the preparation and submission of Serious Incident Reports to the Charity Commission.

4. DEALING WITH BREACHES OF THIS POLICY

- 4.1 We reserve the right, at any time, to request evidence from you of your compliance with the law, this policy and good safeguarding practice. If we do not receive that evidence within a reasonable timeframe, or we are not satisfied with the evidence that we have received, we may:
- 4.1.1 Where we are concerned about something, report you to the relevant authorities, where considered appropriate.
 - 4.1.2 Take such action as is necessary to recover any funds given to you (including legal action).
 - 4.1.3 Withdraw any future funding committed to you.

5. DEFINITIONS

- 5.1 For the purpose of this policy, the following definitions apply:

5.1.1 **'Regulated activities'** are those activities defined as such in The Safeguarding Vulnerable Groups Act 2006 (as amended or replaced from time to time), for example teaching, instructing, supervising, training, and coaching children, care provision (including health and personal care), providing advice or guidance for children's physical, emotional or educational wellbeing, or household assistance to vulnerable adults.

5.1.2 **'Staff'** includes trustees, directors, senior management, consultants, contractors, employees, volunteers, and workers.

6. REVIEW OF THIS POLICY

6.1 This policy will be reviewed biennially to ensure that its provisions continue to meet our legal obligations and reflect best practice.