

## HELP FOR HEROES SAFEGUARDING POLICY

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### Review and Revision History:

The Policy should be reviewed **annually** in line with best practice and while considering any legislative or compliance changes.

Version	Date	Editor	Summary of change
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### Approval History:

Name	Position	Signature	Date
David Walker	Head of Case Management & Safeguarding		03/ 03 /2021
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	Executive Team		07/11/2024
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# SAFEGUARDING POLICY

## 1. Purpose of the policy

The purpose of this policy is to:

- Ensure our duty of care is met for all anyone who comes into contact with the charity refers to all individuals who interact with the charity in any capacity, including but not limited to beneficiaries, colleagues, volunteers, trustees, contractors, partner organisations, and members of the public.
- Outline the additional measures we must have in place to protect those deemed to be “at risk” under safeguarding law.
- Establish clear guidelines and procedures for colleagues, volunteers, and trustees to follow in the event of safeguarding concerns.
- Ensure that all incidents of alleged or suspected harm, abuse, or neglect are reported and managed effectively.
- To clearly indicate how our other policies and processes contribute to our safeguarding responsibilities.

## 2. Scope

This safeguarding policy applies to all colleagues, volunteers, third parties, and those who come into contact with our support services either directly or indirectly, including

- Children (anyone under the age of 18)
- Adults at risk (defined under the Care Act 2014 as someone aged 18 or over who has care or support needs, is experiencing or at risk of abuse or neglect, and is unable to protect themselves)

The Trustees recognise that they are ultimately responsible for making sure that those benefiting from, or working with, the Charity are not harmed in any way through contact with it and that they are treated in a safe, respectful, and appropriate manner.

This responsibility particularly relates to permanently or temporarily vulnerable persons (the elderly, or adults who require support/ care, or who might be vulnerable to any form of harassment, or intimidation) and young people (those under 18 years of age, as defined by the UN Secretary General).

## 3. Definitions

**Safeguarding** “means protecting a person’s right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the person’s wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.”

*Care and Support Statutory Guidance, Department of Health, updated February 2017, for more details please see Appendix 8.i*

- Child: A person under the age of 18.



- **Adult at Risk:** An adult who needs care or support services and is at risk of harm, neglect, or abuse.

**Statutory guidance recognises 10 categories of abuse, which are:**

- **Physical abuse:** including hitting, slapping, punching, burning, misuse of medication, inappropriate restraint.
- **Sexual abuse:** including rape, indecent assault, inappropriate touching, exposure to pornographic material.
- **Psychological or Emotional abuse:** including belittling, name calling, threats of harm, intimidation, isolation.
- **Financial or Material abuse:** including stealing, selling assets, fraud, misuse or misappropriation of property, possessions, or benefits.
- **Domestic:** including physical / psychological violence, financial abuse, coercive control, harassment, stalking, on-line / digital abuse.
- **Neglect and Acts of Omission:** including withholding the necessities of life such as medication, food, or warmth, ignoring medical or physical care needs.
- **Discriminatory abuse:** including racist, sexist, that based on a person's disability and other forms of harassment, slurs, or similar treatment.
- **Institutional or Organisational:** including regimented routines and cultures, unsafe practices, lack of person-centred care or treatment.
- **Modern Slavery:** including sex trafficking, child sex trafficking, forced labour and domestic servitude, child labour / child soldiers.
- **Self-neglect:** including personal care, diet, hoarding, insanitary or squalid living conditions, neglecting household maintenance.

#### **4. Statement**

Protecting people and safeguarding responsibilities are a priority for all charities. Help for Heroes is uncompromising in its aim for excellence in safeguarding practice. As such, ensuring appropriate and robust safeguarding measures are in place is a key part of governance, as laid out by the Charity Commission.

We believe that safeguarding is about a way of thinking and behaving rather than just being a set of policies. The key considerations which inform our safeguarding thinking and behaviour are -

- Empowerment
- Prevention
- Proportionality
- Protection
- Partnership
- Accountability

All colleagues, volunteers and other charity stakeholders have a responsibility for the safety and wellbeing of all those who come into contact with the charity. As such, knowing how to promote the safety and welfare of others, whilst knowing what risk factors to look out for is vital. The schedule of training and safeguarding guidance sheets which compliment this



policy are essential in supporting with this. If someone is unsure, advice is available through the charity's safeguarding leads, details are in Appendix 8xii.

Help for Heroes operates a zero-tolerance approach to any actions or behaviours that pose a risk to the safety and well-being of colleagues, volunteers, and those receiving support. As part of this we reserve the right to withdraw or restrict access to support or other charity activity.

## 5. Roles & Responsibilities

The board of trustees hold overall responsibility for taking reasonable steps to protect from harm people who come into contact with the charity.

This includes:

- Members of the Armed Forces Community (AFC) and their families.
- Colleagues
- Volunteers, both fundraisers and skills based.
- People who come into contact with the charity through its work.
- Stakeholders and Partner agencies.

However, safeguarding is **everyone's** responsibility, and **everyone** has a role to play in ensuring general safety and wellbeing for all whilst taking additional steps for those least able to protect themselves from harm or abuse. It is essential that we are all equipped with the knowledge and skills to meet our safeguarding responsibilities in order to comply with legislation and regulation.

This policy is issued with associated guidance on different aspects of safeguarding which is kept up to date. Further, all colleagues, volunteers and third parties also have a responsibility to make sure they comply with all training and refresher training requirements in relation to position and as detailed in the Safeguarding Training Schedule.

## 6. Compliance

Help for Heroes ensures it is meeting its safeguarding responsibilities by:

- Having appropriate policies and procedures in place, which are followed by all anyone who comes into contact with the charity refers to all individuals who interact with the charity in any capacity, including but not limited to beneficiaries, colleagues, volunteers, trustees, contractors, partner organisations, and members of the public
- Making sure safeguarding is central to the charity's culture and that everyone knows their role and responsibility regarding safeguarding.
- Ensuring all colleagues have an initial DBS check to the appropriate level to safeguard and evidence colleagues and volunteers are suitable to act in their roles.
- Ensuring quality colleagues and volunteers' induction.
- Providing guidance, training, and support so everyone knows how to identify and handle concerns in a full and open manner.
- Defining clear systems of referring or reporting as appropriate, including involving external agencies, if and when necessary.



- Identifying a systematic process for reviewing policies / guidance and a schedule for updating training.
- Setting out the lines of accountability and governance for safeguarding.
- Providing a clear process of investigation and review for major incidents or when things go wrong.
- Keeping up to date with statutory guidance, good practice guidance and legislation relevant to the charity's safeguarding function

## **APPENDIX.**

- 8.i. Safeguarding adults**
- 8.ii. Safeguarding children**
- 8.iii. What to do if I have a Safeguarding Concern**
- 8.iv. Key Elements of Zero Tolerance:**
- 8.v. Safeguarding Risk Assessment & Categories of Restriction.**
- 8.vi. Safeguarding concerns relating to colleagues & volunteers.**
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- 8.xiii. Safeguarding Team Contact List**
- 8.xiv. Safeguarding Accountability and Training Hierarchy**
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### 8.i. Safeguarding adults

The Care Act (2014) sets out what constitutes an 'adult at risk'. Adult at risk is the term used to describe those deemed to require additional protection measures because they may be unable to ensure this for themselves. Under safeguarding law an adult at risk is defined as a person 18 and over who:

- Has needs for care and support (whether the local authority is meeting any of those needs) and.
- Is experiencing, or at risk of, abuse or neglect; and
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

It is important to note that being an "adult at risk" can be temporary or changeable and there are other risk factors to consider –

- Mental health and psychological factors (capacity)
- Alcohol or substance misuse
- Domestic abuse
- Physical dependency, for example during a period of rehabilitation
- Low self esteem
- Previous abuse as an adult or child

Although beneficiaries of Help for Heroes cannot exclusively be categorised "at risk", under the provisions of the Care Act (2014), there are those using our services who are permanently within this category. These include AFC with serious mental illness, complex comorbid (presence of one or more diseases or disorders co-occurring concurrently) presentations, individuals with acquired or traumatic brain injury and those physically dependent due to injury.

Many others who may cross this threshold on a temporary basis due to life circumstances. It is important to recognise that when someone does cross this threshold that you follow the set safeguarding process (set out in the guidance document).

Some other categories that may put someone at risk are relationships, being socially isolated, a sense of duty or being lonely, being radicalised (this list is not exhaustive). Adult safeguarding – what it is and why it matters, Department of Health and Social Care statutory guidance.

*Organisations should always promote the adult's wellbeing in their safeguarding arrangements. People have complex lives and being safe is only one of the things they want for themselves. Professionals should work with the adult to establish what being safe means to them and how that can be best achieved. Professionals and other colleagues should not be advocating 'safety' measures that do not take account of individual well-being, as defined in Section 1 of the Care Act."*

*Care and support statutory guidance, Department of Health, updated September 2024*

Where risk or abuse is identified Help for Heroes colleagues, third parties and volunteers will ensure that their work reflects the principles, outlined in section 2, and ensure the person at risk is involved in their decisions and informed consent is obtained. It is essential to ensure



that the safeguarding action agreed is the least intrusive response to the risk. Relevant partners from the community should be involved in any safeguarding work to prevent, detect, or report neglect and abuse. Any decisions or action taken by Help for Heroes in relation to safeguarding will be transparent and accountable in delivering safeguarding actions.

**8.ii. Safeguarding children** (See guidance sheets that sit alongside this policy for further information)

Even though we do not directly work with children, Help for Heroes has a duty to comply with legislation and statutory guidance to keep children safe.

Safeguarding Children means protecting children from maltreatment, preventing impairment of children's mental and physical health or development, ensuring that children grow up with safe and effective care, and taking action to enable all children to have the best outcomes.

The scope of this policy and accompanying guidance ensures that Help for Heroes colleagues, parents/carers, trustees, volunteers, and the wider community understand their responsibilities, can recognise, and prevent risks, and know what action to take to protect children should the need arise.

**8.iii. What to do if I have a Safeguarding Concern**

Colleagues, volunteers, and third parties who have any safeguarding concerns should:

**1. Recognise**

- You must have a clear understanding of the what the different signs and symptoms of potential abuse, harm and neglect can be. Robust safeguarding training can help you to spot these signs and symptoms

**2. Respond**

- Take emergency action if someone is at immediate risk of harm/in need of urgent medical attention. Dial 999 for emergency services.
- If a crime has been committed contact the police and preserve any forensic evidence
- Get details and be curious about what has happened and what the person's wishes are, but do not probe or conduct a mini investigation.
- Where possible seek consent from the person to act and to report the concern. Consider whether the person may lack capacity to make decisions about their own and other people's safety and wellbeing. If a decision is made to act against their wishes or without their consent, a record of this, and the reasons, must be kept.

**3. Report**

- Reports of safeguarding concerns or incidents must be reported to the **Duty Safeguarding Manager** as soon as possible and within 24 hours.
- Reports are made following Eclipse user & non-Eclipse user process for reporting. All reports should follow the format sent in the weekly DSM email to All Colleagues.

Volunteers



- Reports of safeguarding concerns or incidents must be reported to their Relationship Manager or the Volunteer Team as soon as possible and within 24 hours. The colleague in question will liaise with the Duty Safeguarding Manager to agree next steps.

#### 4. **Record**

- As far as possible, records should be written contemporaneously, dated, and signed.
- All safeguarding recording is held in the safeguarding area of the Help for Heroes' client management system, *Eclipse*.
- Until such time that records can be uploaded to Eclipse, records about safeguarding concerns should be held confidentially and, in a location, where unauthorised persons will not have access to the record. Access to such confidential information should not be given to any unauthorised person, including the sharing of passwords.

#### 5. **Report**

- Reports of safeguarding concerns or incidents must be reported to the **Duty Safeguarding Manager** as soon as possible and within 24 hours.
- Reports are made following Eclipse user & non-Eclipse user process for reporting. All reports should follow the format sent in the weekly DSM email to All Colleagues.

#### Volunteers

- Reports of safeguarding concerns or incidents must be reported to their Relationship Manager or the Volunteer Team as soon as possible and within 24 hours. The colleague in question will liaise with the Duty Safeguarding Manager to agree next steps.

#### 6. **Refer**

Where possible this will be done in consultation with, or by, the Duty Safeguarding Manager, (See safeguarding team contact list in Appendix 8.xii).

In deciding whether to refer or not, the following is to be considered:

1. the person's wishes and preferred outcome
2. whether the person has mental capacity to make an informed decision about their own and others' safety
3. the safety or wellbeing of children or other adults with care and support needs
4. whether there is a person in a position of trust involved
5. whether a crime has been committed

This will inform the decision whether to notify the concern to the following people:

- the police if a crime has been committed and/or
- Local Authority Adult or Children's Services



- relevant regulatory bodies such as Care Quality Commission, Ofsted, Charities commission
- service commissioning teams
- family/relatives as appropriate

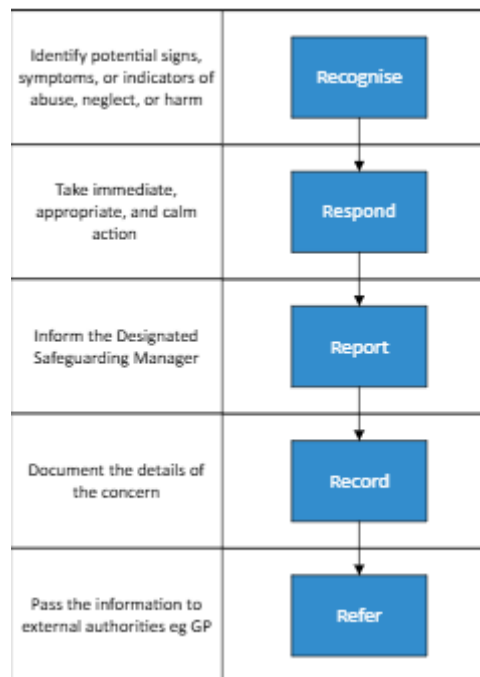
## 7. Record

Records should be included on Eclipse of the reasons for referring the concern or reasons for not referring.

All colleagues, contractors and volunteers are responsible for following the additional guidance on responding to and recording safeguarding concerns.

All colleagues, contractors, and volunteers should contact The Duty Safeguarding Manager or Departmental Safeguarding Lead for any concerns/queries they have in regard to safeguarding.

Working with the Designated Safeguarding Officer, the safeguarding team will also ensure that the safeguarding policies and procedures are in operation and up to date across the various regions / departments of the charity. They will promote a safe environment for all and ensure compliance with the training and refresher schedule.



**A note on Safeguarding in the Devolved Nations** – Although the principles and approach to safeguarding are generally universal across the UK (United Kingdom) there are some notable differences in statutory frameworks, definitions and the bodies which deal with safeguarding referrals. As Help for Heroes operates across all UK nations there is additional information for colleagues in the Safeguarding Guidance Sheets.

### 8.iv. Key Elements of Zero Tolerance:



- **Protection of Colleagues and Service Users:** The primary aim is to safeguard colleagues, and everyone who comes into contact with the charity, from verbal and physical abuse, harassment, aggression, or violence.
- **Clear Definitions and Boundaries:** This policy, alongside our Code of Conduct defines unacceptable behaviours and clearly outlines what will not be tolerated.
- **Support for Affected Colleagues:** This policy includes provisions for supporting colleagues who experience abuse. This includes access to counselling services and debriefing sessions. Please see Appendix for more information.
- **Reporting and Documentation:** As providers of support services, we are required to have robust systems in place for reporting incidents of abuse, documenting what occurred, and ensuring that appropriate follow-up actions are taken. In the first instance this will mean you contacting the Duty Safeguarding Manager who will then take the appropriate action. Please see Appendix for guidance and a flow chart of the process to follow.

#### **8.v. Safeguarding Risk Assessment & Categories of Restriction.**

From time to time, some of those seeking support from the charity present heightened challenges or risks which need to be accounted for when making decisions about how to best to provide support in the safest way for all concerned.

If there is an identified risk towards colleagues and other service users a decision regarding restricting access to services will be made through the Duty Safeguarding Managers and the Head of Safeguarding. To ensure fairness, proportionality, and transparency, decisions are made by two or more of the Safeguarding team. Where possible the individual concerned will be involved in the decision-making process and review dates will be put in place. Likewise, where any partner professionals or agencies are involved, we would seek their involvement as appropriate.

The Safeguarding categories of restrictions are:

- No face to face – 1-1 virtual support only
- No face to face – group virtual support only
- No face to face – only virtual support appropriate
- TEMPORARY – full suspension from all services, no virtual or face to face engagement
- PERMANENT – full suspension from all services, no virtual or face to face engagement
- Service specific face to face only – i.e., joint visits
- No virtual support but face to face appropriate
- Criminal conviction – specific restrictions apply.

#### **8.vi. Safeguarding concerns relating to colleagues & volunteers**

Help for Heroes recruits' colleagues in line with its Safer Recruitment Policy. Further, the charity will ensure that any allegations made against a colleague will be dealt with swiftly, rigorously, and fairly.

In such instances the People Team will work with relevant managers to ensure an assessment is undertaken immediately to manage the level of risk to all concerned. Part of



this assessment is to consider whether it is safe for them to continue in their role or any other role within the service whilst an investigation is undertaken. This investigation is overseen by the Head of People Team and carried out in collaboration with the Head of Service, the Designated Safeguarding Officer (or delegate), and other relevant colleagues as deemed necessary, as part of the disciplinary process.

Where a colleague or volunteer is thought to have committed a criminal offence, and/or if a crime has been witnessed, and the police will be involved, the colleague will be suspended pending internal investigation.

It is also important to recognise that colleagues, including volunteers, are also, on occasion, can be vulnerable to harm and / or abuse. In these instances, the People Team will work with the colleague and line managers, if appropriate. and the Volunteer Team will work with the volunteer and their Relationship Manager, if appropriate.

#### **8.vii. Recording, information sharing, and confidentiality.**

All safeguarding information relating to recipients of charity services is held securely within the safeguarding area of Eclipse. Control of, and access to, this Eclipse function is regulated by Duty Safeguarding Managers, Departmental Safeguarding Leads and Designated Safeguarding Officer. Use of the Eclipse safeguarding functions are detailed in the guide for Eclipse users.

Safeguarding information concerning colleagues is managed within personnel record systems overseen by the People Team.

Non-service user or third-party information, relating to safeguarding, is managed separately from Eclipse in accordance with data protection requirements for sensitive or special category data at the direction of the Data Protection Officer (DPO).

Where there are concerns about an at-risk person, the sharing of information in a timely and effective manner between professionals and organisations can reduce the risk of harm. Whilst the Data Protection Act 2018 places duties on organisations and individuals to process personal information fairly and lawfully, it is not a barrier to sharing information where the failure to do so would result in a child or at-risk adult being placed at risk of harm. Similarly, human rights concerns, such as respecting the right to a private and family life would not prevent sharing where there are real safeguarding concerns. Therefore, the correct management of information is central to good safeguarding practice and Help for Heroes understands the critical importance of information sharing between professionals and local agencies. The Charity works within statutory frameworks and Caldicott principles. Any transfer of safeguarding data is actioned securely in accordance with the charity's and government's guidelines concerning data protection.

Information sharing requirements should be discussed with Duty Safeguarding Managers or Departmental Leads in the first instance.

A colleague must never guarantee confidentiality to anyone about a safeguarding concern (including parents / carers or other external agencies) or promise to keep a secret which might compromise safety or wellbeing.

#### **8.viii. England and Wales Prevent Duty\***

The aim of Prevent is to stop people from becoming terrorists or supporting terrorism. Prevent also extends to supporting the rehabilitation and disengagement of those already involved in terrorism.



The Prevent duty requires specified authorities such as education, health, local authorities, police, and criminal justice agencies (prisons and probation) to help prevent the risk of people becoming terrorists or supporting terrorism. It sits alongside long-established safeguarding duties on professionals to protect people from a range of other harms, such as substance abuse, involvement in gangs, and physical and sexual exploitation. The duty helps to ensure that people who are susceptible to radicalisation are supported as they would be under safeguarding processes.

**The Prevent objectives are to:**

- Tackle the ideological causes of terrorism.
- Intervene early to support people susceptible to radicalisation.
- Enable people who have already engaged in terrorism to disengage and rehabilitate.

More information can be found by following the below link:

<https://www.gov.uk/government/publications/prevent-duty-guidance/prevent-duty-guidance-for-england-and-wales-accessible>

Please note that this applies to England and Wales only.

**8.ix. Whistleblowing and raising concerns**

All colleagues need to be aware of their duty to raise concerns, where they exist, relating to safeguarding. These may include the attitude or actions/inactions of colleagues, poor or unsafe practice and potential failures in the charity's safeguarding arrangements. This list is not exhaustive. Please refer to the Whistleblowing policy for further information and guidance.

Help for Heroes aims for everyone connected with the charity to feel able to report any concerns through existing procedures, including the whistleblowing and complaints policies.

The Charity is committed to ensuring that colleagues, contractors, and volunteers who, in good faith, whistle-blow in the public interest, will be protected from reprisals and victimisation.

If any member of the organisation is unhappy with Help for Heroes' decision about the safeguarding concern, they are to refer to the complaints policy.

**8.x. Link between safeguarding and incident review**

Help for Heroes is registered with the Charities Commission and therefore all colleagues, contractors, and volunteers have a legal *Duty of Candour* to give a full and honest explanation to people about when things go wrong. The Charity also takes seriously the need for constant review and improvement. Any lessons learned from a serious incident will be reviewed and disseminated following the Serious Incident policy and process. Moreover, The Charity Commission holds trustees to account where things do go wrong and will check that the guidance and law are being followed. Where there has been a serious incident or where things have gone wrong the board of trustees will ensure a process of rigorous investigation and make changes where necessary (see the Serious Incident Policy). This may include reporting to, and working with, the Charity Commission in order to meet compliance. A procedure is in place to ensure this happens systematically.

**8.xi Out of Hours Delivery-of-Hours Delivery  
Out of Hours Delivery-of-Hours Delivery**



Some colleagues choose to work condensed hours, which can create a safeguarding risk if direct delivery takes place outside the standard 09:00–17:00 working day.

For this reason, if you are working outside of these hours, you must not undertake any direct delivery, whether in the community or at home via Teams or other communication platforms, before **08:30** or after **17:00** when there will be Duty Safeguarding Manager on call.

Although we are not an emergency or crisis service – and even if you feel confident that you know the service user you are planning to contact – there is always an element of unpredictability when providing Mental Health support or any one-to-one intervention.

If you do need to deal with an emergency outside of hours, please ensure you contact the on call Duty Incident Manager.-call Duty Incident Manager.

#### **8.xi1. Linked Policies**

Serious Incident  
Whistleblowing  
Code of Conduct  
Health & Safety  
Risk Management  
Recruitment Policy

#### **8.xi1i. Safeguarding Team Members**

##### **Board of Trustees Safeguarding Lead**

Emma Birchall

##### **Exec Safeguarding Lead**

Rob Marston, Service Director

##### **Designated Safeguarding Officer (National Lead)**

Jo Tottle (Head of Case Management & Safeguarding)

##### **Duty Safeguarding Manager & Deputy Safeguarding Lead**

Lucy Oxford (Operational Manager, Case Management)

**A minimum of 6 Duty Safeguarding Managers.**

**The Safeguarding Committee is made up of the following teams' representatives:**

- **People Team Safeguarding Lead (Downton)**
- **Comms Safeguarding Lead**
- **Risk & Compliance Lead**
- **Supporter Care Safeguarding Lead**
- **Digital Safeguarding Lead**
- **Clinical Safeguarding Lead**



#### 8.iv. – Safeguarding Accountability and Training Hierarchy

Colleague Group	Training type and frequency to be completed			
	Level 1- Mandatory Online eLearning (Kallidus)	Level 2 – Athena (external)	Level 3 – Athena (external)	Prevent (online Kallidus)
Trustees	Annually	N/A	N/A	Annually
Safeguarding Trustee Lead	Annually	During induction / Biennial	Biennial	Annually
Executive Team including CEO	Annually	During induction / Biennial	Biennial	Annually
Safeguarding DSM	Annually	During induction / Biennial		Annually
		During induction / Biennial	Biennial	Annually
SG Directorate leads- Safeguarding Committee members	Annually	During induction / Biennial	Biennial	Annually
<b>Commercial</b>				
Trading	Annually	During Induction	N/A	Annually
Product Innovation Support Experience	Annually	During Induction	N/A	Annually
Fundraising and partnerships	Annually	During induction / Biennial	N/A	Annually
Support care	Annually	During induction / Biennial	N/A	Annually



<b>Marketing, Comms and public affairs -</b>				
Marketing and brand	Annually	During induction / Biennial	N/A	Annually
Communications, public affairs and policy	Annually	During induction / Biennial	N/A	Annually
Digital	Annually	During Induction	N/A	Annually
Business planning and internal projects	Annually	During Induction	N/A	Annually
<b>Services Directorate -</b>				
Heads of Service- including Services Director	Annually	During induction / Biennial	Biennial	Annually
Case management	Annually	During induction / Biennial	N/A	Annually
Clinical	Annually	During induction / Biennial	N/A	Annually
Hidden Wounds	Annually	During induction / Biennial	N/A	Annually
Grants	Annually	During induction / Biennial	N/A	Annually
Recovery College	Annually	During induction / Biennial	N/A	Annually
CDT	Annually	During induction / Biennial	N/A	Annually
<b>Operations</b>				
Risk & Compliance	Annually	During Induction	N/A	Annually



Data insight and research	Annually	During Induction	N/A	Annually
Finance	Annually	During Induction	N/A	Annually
People Team	Annually	During Induction	N/A	Annually
IT	Annually	During Induction	N/A	Annually



## 8.v. Criminal Convictions Disclosures – Guidance for Colleagues

### Criminal Convictions Disclosures – Guidance for Colleagues.

The disclosure of a criminal conviction may happen through the relationship that Help for Heroes has with an individual, however at certain trigger points this question will be directly asked. Firstly, at application stage by the access leads and secondly should a client re-engage following a period of absence from support.

### Does the Rehabilitation of Offenders Act effect our decision making?

The Rehabilitation of Offenders Act (1974) determines whether a criminal conviction will need to be declared under certain circumstances ie during employment application. Most convictions will become spent following a set period of time, others of a more serious nature will remain unspent and must be declared. The Act was introduced to support those wishing to move forward with their lives, ie gaining employment and not being adversely affected by a past behaviour.

Spent or unspent convictions hold no bearing on our decision making as we request that any conviction is disclosed. This allows us to determine how the identified risk can be best managed.

### Identifying a risk:

When an individual discloses their conviction(s), a decision about whether their offending poses a risk of harm to others must be considered. The severity of the offences must be determined; therefore, it is necessary to also ask what the sentence length was, the type of sentence that was received and when the offence occurred.

### Understanding sentencing

Having a better understanding about sentencing helps to make better decisions regarding the potential risk that an individual may pose. A sexual offence, for instance, covers everything from adults sleeping with someone underage to indecent assault and rape. Violence covers everything from slaps and smacks, normally recorded as battery or common assault, to grievous bodily harm and murder. Drug offences cover everything from possession of small amounts of cannabis for personal use to possession of class A drugs with intent to supply. Burglary covers everything from taking goods from shop storerooms to entering the homes of elderly people, leaving them in fear. Arson ranges from a person setting fire to litter bins to a person destroying property and endangering lives.

There are many types of sentences that can be passed however some are for lower-level offences and others for those more serious. The more serious offences will be sentenced within Crown court due to their severity and it is often here where the longest more onerous sentences will be given.

<u>High Level sentences (level 1)</u>	<u>Medium level sentences (level 2)</u>	<u>Low level sentences (level 3)</u>
Prison sentences (Spending a period of time in custody followed by time on licence in the community) Sex Offender Registrations; Sexual Offences Prevention Order (SOPO) Sexual Harm Prevention Order (SHPO)  <i>Sentencing at Crown Court</i>	Community orders Suspended Sentences (the client could go to jail if they don't comply within the community) Restraining orders  <i>Sentencing at Magistrates court</i>	Discharges, fines, and fixed penalties  <i>Police notice/on spot fine Magistrates Court</i>



## Appendix – Guidance and Process to Safeguard Colleagues

\*This has been added to ensure that when colleagues come across unacceptable behaviour either directly or indirectly, then we have process to follow. This links to our Code of Conduct and is relevant to everyone [https://www.helpforheroes.org.uk/media/filer\\_public/62/1a/621a106d-fb58-46a5-9e69-5965a35ee61b/help\\_for\\_heroes\\_code\\_of\\_conduct\\_0822\\_1.pdf](https://www.helpforheroes.org.uk/media/filer_public/62/1a/621a106d-fb58-46a5-9e69-5965a35ee61b/help_for_heroes_code_of_conduct_0822_1.pdf)

