



# **SAFEGUARDING**

## **POLICY**

**DATE OF LAST REVIEW: JULY 2019**

**REVISED POLICY APPROVED: JULY 2021**

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**AUTHOR: Martin Foley CEO**



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**1. ABOUT STELLA MARIS**

We provide spiritual, practical and pastoral care to the People of the Sea (as defined in our charitable object), regardless of nationality, belief or race. Our port chaplains and volunteer ship visitors welcome the People of the Sea, offer welfare services and advice, practical help, care and friendship.

Stella Maris in the UK is part of the international Stella Maris network, active in over 300 ports worldwide. Please visit our website for more information: [www.stellamaris.org.uk](http://www.stellamaris.org.uk).

We are registered with the Charity Commission, Charity Number: 1069833. We are also registered in Scotland with the Office of the Scottish Charity Regulator: SCO43085.

Our Registered Company Number is 3320318.

**2. STELLA MARIS POLICY STATEMENT**

The Trustees, Employees and Volunteers of Stella Maris are fully committed to the Safeguarding Policies and Procedures of the Catholic Church in England, Wales and Scotland.

This commitment flows from the fact that we are all made in the image of God and the Church's common belief in the dignity and uniqueness of every human life.

We start from the principle that each person has a right to expect the highest level of protection, love, encouragement, and respect.

We will liaise closely and openly with statutory agencies to ensure that any concerns or allegations of abuse raised are promptly reported and properly responded to, and that survivors and victims are supported.

We will support any Trustees, Employees and Volunteers of the Charity against whom a concern or allegation is raised.

We expect all Trustees, Employees and Volunteers to have read, understood and adhere to this Safeguarding policy.

Signed:



**Esteban Pacha**

**Chair of the Trustees**

06 July 2021

Approved by the Trustees

06 July 2021

Date to be reviewed:

July 2022

### **3. AIM OF THIS POLICY**

- 3.1 Stella Maris operates in an open and honest culture, enabling and empowering the People of the Sea (as defined in our charitable object) to live without abuse and exploitation. This policy should be read in conjunction with the Catholic Safeguarding Standards Agency (CSSA) Procedures Manual <https://www.csas.uk.net/procedures-manual/> and the Bishops' Conference of Scotland Instruction on Safeguarding ('In God's Image') <https://www.bcos.org.uk/Portals/0/In%20Gods%20Image%20WEB.pdf> which form part of this policy. Not all sections of the CSSA Procedures Manual and the Bishops Conference of Scotland Instruction on Safeguarding will be directly applicable to the work of Stella Maris. If in doubt, please contact the Chief Executive Officer.
- 3.2 We are committed to the elimination of any form of abuse and harassment by any individual whether they are beneficiaries, employees, or volunteers.
- 3.3 This policy aims to respect individuality and the human rights of everyone within our charity, and externally, by eradicating abuse and preventing its occurrence where there is a risk that it might occur. Stella Maris shall ensure that all employees are trained in safeguarding procedures using various training methods which all comply with and conform to CSSA and Scottish Catholic Safeguarding Service (SCSS) standards.
- 3.4 It is not for individuals within Stella Maris to decide whether an adult about whom they have concerns meets the threshold for consideration as an 'adult at risk'. If in doubt, concerns about the welfare of an adult should be referred to the local authority social services department.

### **4. DEFINITIONS OF ABUSE (this list is not exhaustive)**

- 4.1 **Discriminatory Abuse** includes racist, sexist, homophobic, religious, disability or age-related forms of harassment, slurs or similar treatment.
- 4.2 **Emotional Abuse** includes threats of harm or abandonment, isolation, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse or withdrawal from services or supportive networks.
- 4.3 **Financial or Material Abuse** including theft, fraud, exploitation, pressure in connection with wills or property or inheritance or financial transactions, or the misuse of misappropriation of property, possessions or benefits.
- 4.4 **Neglect and Acts of Omission** including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, withholding the necessities of life such as medication, adequate nutrition and heating.
- 4.5 **Physical Abuse** includes hitting, slapping, pushing, kicking, and misuse of medication, restraint, or inappropriate sanctions.

- 4.6 **Sexual Abuse** including rape, sexual assault, sexual innuendos, sexual activity or viewing sexually explicit materials, to which the person has not given consent.
- 4.7 **Spiritual Abuse** is coercion and control of one individual by another in a spiritual context. It may include misuse of scripture to control behaviour or the suggestion that the abuser has a 'divine' position.
- 4.8 **Domestic Abuse** is a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner. Abuse is physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person.
- 4.9 **Coercive Control** includes manipulation and manipulation of behaviour.

## 5. CONCERNS

- 5.1 A Concern is an anxiety about an issue of abuse. Grounds for concerns can arise from a wide range of circumstances, for example (this list is not exhaustive):
- 5.1.1 A child, young person or adult at risk states that abuse has taken place, or he/she feels unsafe.
- 5.1.2 Information is received anonymously or by a third party.
- 5.1.3 Grooming of a child, young person, or adult at risk.
- 5.1.4 The appearance and/or behaviour of a child, young person or adult at risk causes concern.
- 5.2 Even if doubt exists about a concern, the Church's referral system must be followed.
- 5.3 Do not alert the person about whom concern has been raised. Doing so could place someone at risk, damage evidence or interfere with an investigation.

## 6. ALLEGATIONS

- 6.1 An allegation is an accusation of abuse based on available information, for example (this list is not exhaustive):
- 6.1.1 A person states that they have been abused.
- 6.1.2 A person states that they have been informed of, or witnessed, abuse.
- 6.1.3 A person making an allegation may or may not be able to name the alleged perpetrator. They may be unable or unwilling to name the alleged perpetrator.
- 6.2 The alleged abuser must not be alerted, either directly or indirectly. Doing so could place someone at risk, damage evidence or interfere with an investigation.

## 7. SIGNS OF ABUSE

- 7.1 Listed below are signs that an individual may be experiencing abuse (this list is not exhaustive):
- 7.1.1 Unexplained injuries or injuries where the description of "an accident" does not correspond with the injuries.
- 7.1.2 The person is quiet and withdrawn.
- 7.1.3 The person is nervous and eager to please.

- 7.1.4 There is bruising.
- 7.1.5 Withdrawal from physical contact.
- 7.1.6 Appears agitated and anxious and seeks isolation.
- 7.1.7 Cuts and tears to skin.

## **8. PREVENTION OF ABUSE**

- 8.1 Stella Maris shall promote awareness of safeguarding issues throughout the charity.
- 8.2 Stella Maris shall provide services that enhance the protection of the People of the Sea.
- 8.3 All beneficiaries, employees and volunteers shall be educated on their rights and responsibilities.
- 8.4 Inappropriate behaviour will be challenged and a support plan pursued to detail actions that can be taken to rectify behaviour.
- 8.5 Employees, volunteers, and beneficiaries will all have access to information on how to raise concerns.
- 8.6 Contractors shall all be monitored by Stella Maris employees to ensure that they conduct themselves appropriately.
- 8.7 Stella Maris shall cooperate with any multi-agency safeguarding investigation and action.
- 8.8 Disciplinary investigation and action will be undertaken when concerns are raised, or allegations made. Stella Maris shall create safer environments wherever we work, where each person is respected and loved, and in which everyone receives and shares their unique gifts. For further information please see Chapter 4 of the CSSA Procedures Manual, 'Creating a Safer Environment'.
- 8.9 Employees numbers will be maintained at adequate levels, sufficient to ensure appropriate levels of care and support for beneficiaries, employees and volunteers.

## **9. MANAGING ALLEGATIONS AND CONCERNS IN A SUPPORTIVE MANNER**

- 9.1 The person receiving the concern or allegation must:
  - 9.1.1 Be calm and reassuring.
  - 9.1.2 Listen and acknowledge what is said without passing judgement or minimising the information.
  - 9.1.3 Not interrogate or put words into the other person's mouth.
  - 9.1.4 Be aware that the other person's ability to recount their concern or allegation will depend on age, culture, language and communication skills and disability.
  - 9.1.5 Explain what she/he will do next and who she/he needs to contact i.e. the Stella Maris Safeguarding Lead.
  - 9.1.6 Ensure the immediate safety of the other person or ensure appropriate medical attention is given.
  - 9.1.7 Summon emergency services if necessary.
  - 9.1.8 Call the police if someone is at serious risk or a crime has occurred.
  - 9.1.9 Not promise total confidentiality but explain that the information will only be shared appropriately with others who need to know.
  - 9.1.10 Make careful notes as soon as possible and include dates, times of the incident and when the recording was made, who was present and sign the notes. Also make sure the notes are kept securely in accordance with the Stella Maris Data Protection Policy and Records Retention Policy.

- 9.1.11 Provide the person with some means to contact her/him and be clear about how and when she/he will contact them to advise what will happen next.
- 9.1.12 Ask their consent to take up their concerns and if they do not agree, consult the Safeguarding Lead.
- 9.1.13 Try to encourage and support them to share their information.
- 9.2 Stella Maris will ensure that the person receiving the concern or allegation receives appropriate support.

## **10. RESPONDING TO ABUSE – RESPONSIBILITIES OF:**

### **10.1 Trustees, Staff and Volunteers**

- 10.1.1 Concerns or allegations will be addressed in a manner compatible with the CSSA Procedures Manual. It is therefore the responsibility of Stella Maris to provide appropriate training and support in the implementation of the CSSA Procedures Manual. Furthermore, all employees and volunteers must familiarise themselves with the parts of the CSSA Procedures Manual relevant to their work and all updates thereto.
- 10.1.2 Employees and volunteers shall be made aware of their roles and responsibilities in relation to safeguarding and reporting procedures. The Chief Executive Officer (CEO), as Safeguarding Coordinator, has overall responsibility for the Stella Maris safeguarding policy and procedures. <https://www.csas.uk.net/procedures-manual/>
- 10.1.3 Should anyone have any cause for concern regarding adults at risk or child protection it must immediately be shared with their line manager.
- 10.1.4 The person raising the concern must work collaboratively with the Safeguarding Coordinator on issues surrounding the case until the case reaches its conclusion.
- 10.1.5 The safeguarding concerns must be documented, stored securely and retained in accordance with the Stella Maris Data Protection Policy and Records Retention Policy.
- 10.1.6 Stella Maris personnel are not responsible for investigating concerns or allegations. This responsibility belongs to the statutory authorities.
- 10.1.7 Any employee convicted of, or cautioned for, abuse in their private life will be viewed by Stella Maris as having committed a serious offence and this offence can be used as grounds for dismissal.
- 10.1.8 If it is concluded that an employee has harmed Stella Maris, brought its reputation into disrepute or subjected any of its employees to any kind of abuse through any means including the use of social media, that employee would be viewed by Stella Maris as having committed a serious offence and may be dismissed immediately.
- 10.1.9 In the event the CEO is unavailable the Director of Development (DOD) must take the lead.

### **10.2 Safeguarding Coordinator (CEO)**

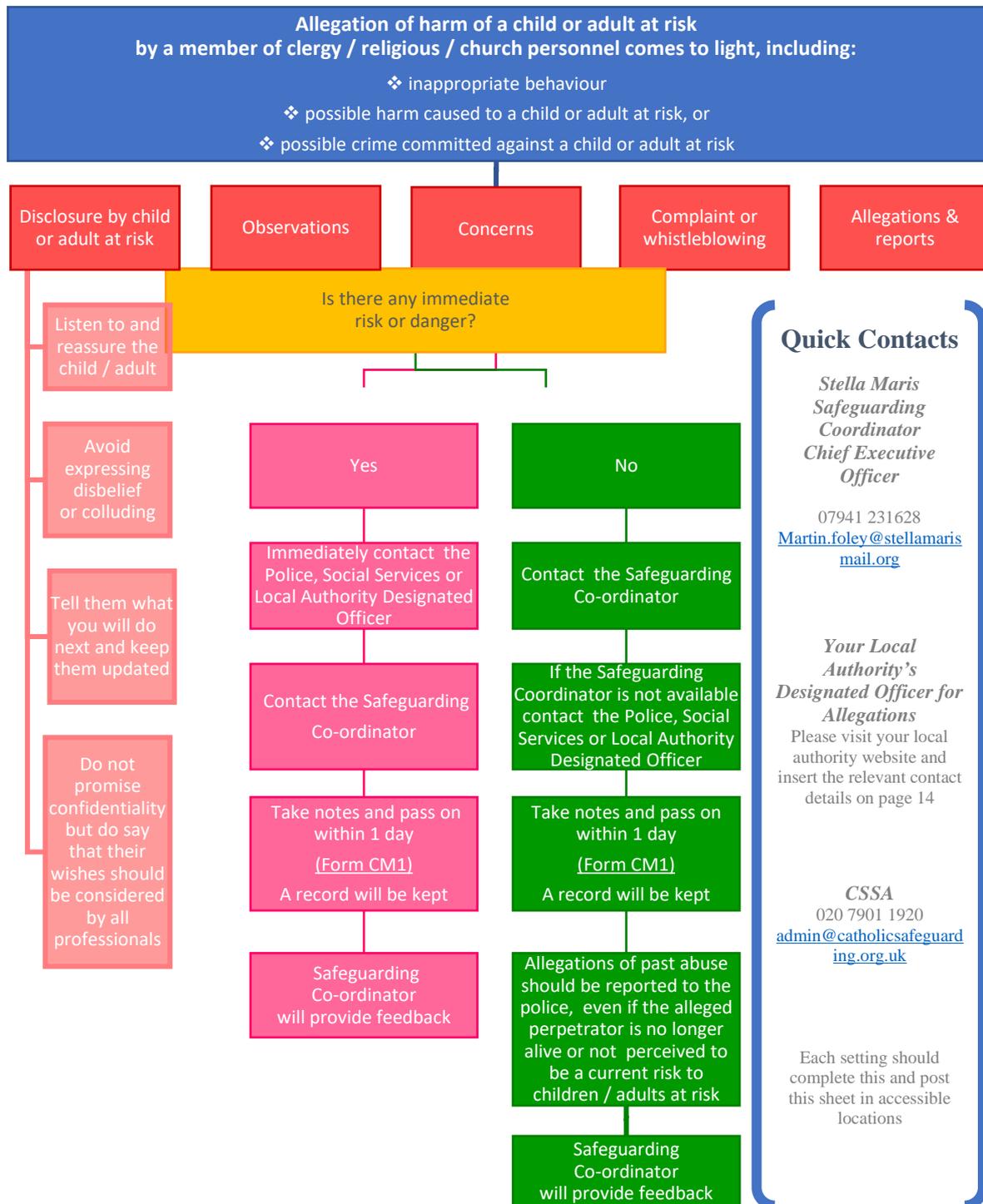
- 10.2.1 The Safeguarding Coordinator is accountable to the Trustees of the Charity. This individual shall ensure that the Charity has implemented a Safeguarding Policy and Trustees, Employees and Volunteers are aware of this and know how to respond appropriately to a safeguarding concern or allegation.

- 10.2.2 This individual shall attend annual safeguarding training sessions and have a sound knowledge and understanding of the National Policies and Procedures for the Catholic Church in England and Wales and Scotland.
- 10.2.3 Furthermore, the Safeguarding Coordinator shall:
- 10.2.3.1 Safeguard individual, employees, volunteers and any others at risk.
  - 10.2.3.2 Facilitate the processing of DBS/PVG checks within Stella Maris for all eligible individuals.
  - 10.2.3.3 Ensure a DBS/PVG register is kept and maintained by Stella Maris. DBS/PVG checks shall be undertaken every three years.
  - 10.2.3.4 Develop a bespoke care package immediately to ensure the ongoing safety and protection of any victims. A multidisciplinary approach may be required.
  - 10.2.3.5 Ensure that allegations are reported to the appropriate authorities, Police and/or Social Care within twenty-four hours.
  - 10.2.3.6 If necessary, suspend any employee involved to facilitate a full investigation. This will be a neutral act. A decision to suspend an employee will be managed in accordance with our Employee Handbook.
  - 10.2.3.7 Take appropriate action once investigations are concluded in line with Stella Maris Disciplinary Procedures.
  - 10.2.3.8 Debrief the person who receives the disclosure and arrange support if necessary.
  - 10.2.3.9 Inform the Chair of the Trustees as a matter of urgency of all disclosures.
  - 10.2.3.10 Ensure that advice is sought from the CSSA or the SCSS if needed.  
Record all actions taken including by third parties and maintain a case file which should be stored securely and retained in accordance with the Stella Maris Data Protection Policy and Records Retention Policy.
  - 10.2.3.11 Ensure that Trustees, Employees and Volunteers have the necessary support if they are, or were, part of the safeguarding process.
  - 10.2.3.12 Notify the Charity Commission and the Office of the Scottish Charity Regulator.
  - 10.2.3.13 Notify our insurance brokers.

## **11. REPORTING ABUSE**

- 11.1 The Catholic Church authorities always report allegations of abuse to the statutory agencies to ensure that they are dealt with promptly and properly, and where appropriate, perpetrators are held to account. This should be within twenty four hours. The Church will act in an open, transparent and accountable way when working in partnership with social care agencies, Police, health agencies, probation services and other relevant agencies to safeguard children and adults at risk and to assist in bringing to justice anyone who has committed an offence against a child or adult.
- 11.2 Stella Maris policy is to always report allegations of abuse to the statutory agencies.

The following information clarifies the reporting process:



## **12. CAPACITY AND CONSENT**

- 12.1 In working with adults at risk, we should always operate with:
  - 12.1.1 Presumption of capacity
  - 12.1.2 An effort to support decision-making in those at risk
  - 12.1.3 A respect for the right of individuals to make unwise or eccentric decisions
  - 12.1.4 always consider the individual's best interests and always selecting the least restrictive option.
  
- 12.2 An adult is deemed to have mental capacity provided they can make their own decisions, including the ability to understand information given to them and
  - 12.2.1 Retain that information long enough to be able to make the decision
  - 12.3.2 Use and Weigh up the information available to make the decision
  - 12.2.3 Communicate their decision – this could be by talking, using sign language or even simple muscle movements such as blinking an eye or squeezing a hand.
  
- 12.3 Statutory adult safeguarding duties apply whether or not the adult lacks mental capacity. Article 8 of the Human Rights Act relates to an individual's rights to autonomy. However, the requirement to respect the rights of individuals to make decisions for themselves is not an excuse for inaction where an adult is at risk of abuse or neglect.
  
- 12.4 The British Medical Association (BMA) adult safeguarding toolkit (2011) states that where a competent adult explicitly refuses any supporting intervention, this should normally be respected. Exceptions to this may be where a criminal offence may have taken place or where there may be a significant risk of harm to a third party. If for example there may be an abusive adult in a position of authority in relation to other adults at risk, it may be appropriate to breach confidentiality and disclose information to an appropriate authority.
  
- 12.5 If the adult has the mental capacity to make informed decisions about their safety and they do not want any action to be taken, this does not preclude the sharing of information with relevant professional colleagues<sup>[1]</sup>. This is to enable professionals to assess the risk of harm and to be confident that the adult is not being unduly influenced, coerced or intimidated and is aware of all the options. This will also enable professionals to check the safety and validity of decisions made. In addition, consideration must be given to whether other adults, or children, might be at risk. It is good practice to inform the adult that this action is being taken, unless doing so would increase the risk of harm.
  
- 12.6 Efforts to obtain consent from the adult at risk must always be made, wherever possible, prior to a referral being made to the relevant local authority. However, this should not unnecessarily delay a safeguarding referral being made. Where there is an overriding public interest, or if gaining consent would put the adult at further risk, a referral to the relevant local authority must be made without consent. This would include situations where other people, including other adults at risk and/or children, could be at risk from the person causing harm and/or it is necessary to prevent crime.

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<sup>[1]</sup> Care and Support, statutory guidance (DOH 2014, 14.92)

12.7 Where it is believed that a criminal offence may have taken place the matter should be referred to the Police.

12.8 The adult at risk should be informed of the decision for referral to the Police and/or the relevant local authority and the reasons, unless telling them would jeopardise their safety or the safety of others.

### **13. SAFEGUARDING TRAINING**

13.1 The Safeguarding Coordinator will ensure that Safeguarding Training is undertaken by the Trustees, Employees and Volunteers as required which complies with and conforms to CSSA and SCSS standards.

13.2 This shall include training on the following issues, depending on individuals' needs, experience and professional development (this list is not exhaustive):

13.2.1 Dealing with disclosures

13.2.2 Responding to Safeguarding concerns and allegations

13.2.3 Safer recruitment

13.2.4 Hate crimes

13.2.5 Trafficking

13.2.6 Forced labour

13.3 The Safeguarding Coordinator must ensure that a Register for Safeguarding Training and other appropriate training is maintained.

Trustees, Employees and Volunteers must ensure their safeguarding training and DBS checks are up to date.

### **14. COMPLAINTS**

Any complaint relating to the work of Stella Maris should be addressed in accordance with our Complaints Policy and Procedure.

## **15. CONTACTS**

### **15.1 The Catholic Safeguarding Standards Agency (England and Wales)**

39 Eccleston Square

London

SW1V 1BX

Telephone: 020 7901 1920

Email: [admin@catholicsafeguarding.co.uk](mailto:admin@catholicsafeguarding.co.uk)

Website: <https://www.catholicsafeguarding.org.uk>

### **15.2 The Scottish Catholic Safeguarding Service**

274 Bath Street

Glasgow

G2 4JR

Telephone: 0141 332 7177

Email: [admin@scottishcatholicsafeguarding.org.uk](mailto:admin@scottishcatholicsafeguarding.org.uk)

Website: [www.scottishcatholicsafeguarding.org.uk](http://www.scottishcatholicsafeguarding.org.uk)

### **15.3 The Charity Commission for England and Wales**

PO Box 211

Bootle

L20 7YX

Telephone: 0300 066 9197

Email: <https://forms.charitycommission.gov.uk/enquiry-form/>

Website: [www.charitycomission.gov.uk](http://www.charitycomission.gov.uk)

### **15.4 Office of the Scottish Charity Regulator**

2nd Floor

Quadrant House

9 Riverside Drive

Dundee

DD1 4NY

Telephone: 01382 22044

Email: [info@oscr.org.uk](mailto:info@oscr.org.uk)

Website: [www.oscr.org.uk](http://www.oscr.org.uk)

### **15.5 Stella Maris Safeguarding Coordinator**

Martin Foley

Chief Executive Officer

Stella Maris

39 Eccleston Square

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