



# Capability Scotland

## Safeguarding Framework

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### **Purpose**

“Safeguarding” refers to the actions, procedures and strategies taken to promote and ensure the welfare of children, young people, adults, staff, volunteers, and Trustees, and protect them from harm.

The purpose of this Safeguarding Framework is to clarify the multi-faceted approaches Capability Scotland takes to ensure the safeguarding of its people and our commitment to building a Safeguarding culture where children, young people, adults, staff, volunteers, and Trustees treat each other with respect and are comfortable in sharing concerns.

Our Safeguarding Framework cannot be separated from the general ethos of the organisation, where our people are treated with respect and dignity, have a voice, and are listened to.

### **Scope**

The policy applies to all children, young people and adults, staff, volunteers, and Trustees of Capability Scotland.

### **External References:**

This Policy is contextualised by a wide range of national legislation and strategies, regulatory frameworks and codes of practice. These are not necessarily referenced in the policy:

### **International Treaties:**

- UN Universal Declaration of Human Rights: United for Human Rights
- Convention on the Rights of Persons with Disabilities
- UN Convention on the Rights of the Child

### **National Legislation:**

- 1.1 Adults with Incapacity (Scotland) Act 2003

- Mental Health (Care and Treatment) (Scotland) Act 2003
  - Protection of Vulnerable Groups (Scotland) Act 2007
  - Protection of Children (Scotland) Act 2003
  - Children (Scotland) Act 2020
  - Regulation of Care (Scotland) Act 2001
  - Children and Young People Scotland Act 2014
  - Adult Support and Protection (Scotland) Act 2007
- 1.2 Human Rights Act 1998
- Equality Act 2010 Regulations, Codes of Practice and other National Strategies
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### **Regulations, Codes of Practice, and other National Strategies:**

- 1.3 Getting it Right for Every Child –GIRFEC
- 1.4 The Promise
- 1.5 Looked After Children (Scotland) Regulations 2009
- Adult Support and Protection (Scotland) Act 2007: Code of Practice
  - National Guidance for child protection in Scotland - National guidance for child protection in Scotland 2021
- 1.6 SSSC Code of Practice SSSC Codes of Practice - Scottish Social Services Council
- Health and Social Care Standards
  - The Scottish Strategy for Autism
- 1.7 Scottish Government –The Keys to Life
- OSCR | Notifiable events
  - OSCR Safeguarding Guidance
  - Serious incident review guidance May 2022.pdf
  - Duty of candour - GOV.UK

### **Appendices**

Appendix 1 - Children’s Services Safeguarding and Protection Forum Remit

Appendix 2 - Adult Services Safeguarding and Protection Forum Remit

Appendix 3 - Child Well Being Concern Form

Appendix 4 - Body Map and Basic Assessment Chart

Appendix 5 - Safeguarding Responsibilities

Appendix 6 - Capability Scotland C&AP Referral Form

Appendix 7 - Self-Harm and Suicide Information

Appendix 8 - Types of Abuse

Appendix 9 - Introduction to legislation and links to key documents

## **1. Introduction**

This policy applies to, and should be understood by, staff, volunteers, and Trustees, and where possible, children, young people and adults.

## **2. Policy Statement**

Safeguarding is defined as protecting an individual's health, wellbeing, and human rights; enabling them to live free from harm, abuse, and neglect. It is an integral part of providing high-quality care, support, and education.

Safeguarding children, young people and adults is a collective responsibility for all staff, Trustees, volunteers, and customers, and should act without delay when made aware of any risk of harm. Capability Scotland will work with children, young people, and adults (and their families), as well as staff, volunteers and Trustees to take all reasonable measures to ensure that the risk of harm is minimised, to keep them safe and to practice in a way that protects them. Where there are concerns about the welfare of children, young people, and adults we will ensure appropriate action is taken to address those concerns in line with national policies and guidance, and to agreed policies and procedures, in full partnership with local agencies.

Capability Scotland's approach to Safeguarding is underpinned by our strategies, policies, and practices, thus ensuring we keep children, young people and adults safe, and we promote their well-being.

## **3. This Framework:**

At Capability Scotland, our commitment to individuals with disabilities is embodied in our robust Safeguarding Framework. Serving as a guiding document, it ensures a safe, respectful, and inclusive environment for those we support. As a key element in our commitment to providing the highest standards of care and protection, the Safeguarding Framework is central to our organisational ethos.

Built on principles such as dignity, respect, empowerment, and person-centred care, the framework seamlessly integrates with various policies and procedures across the organisation, creating a unified and comprehensive approach. From recruitment, training, complaints handling, health and safety, to data protection, each policy aligns with and supports the overarching goals outlined in the safeguarding framework.

Our strong commitment to child and adult protection is emphasised, with specific policies addressing the unique needs of these groups. Notably, the Safeguarding Framework places a significant focus on training and encourages a learning culture within the organisation. Regular training ensures that our staff are well-equipped with the knowledge and skills needed to implement safeguarding measures effectively. Moreover, the framework promotes a culture of continuous improvement. Through reporting mechanisms, internal audits, and improvement planning, we ensure that insights from incidents drive proactive measures, enhancing the effectiveness of our safeguarding practices. This overview sets the stage for a detailed exploration of how our safeguarding framework, enriched by training

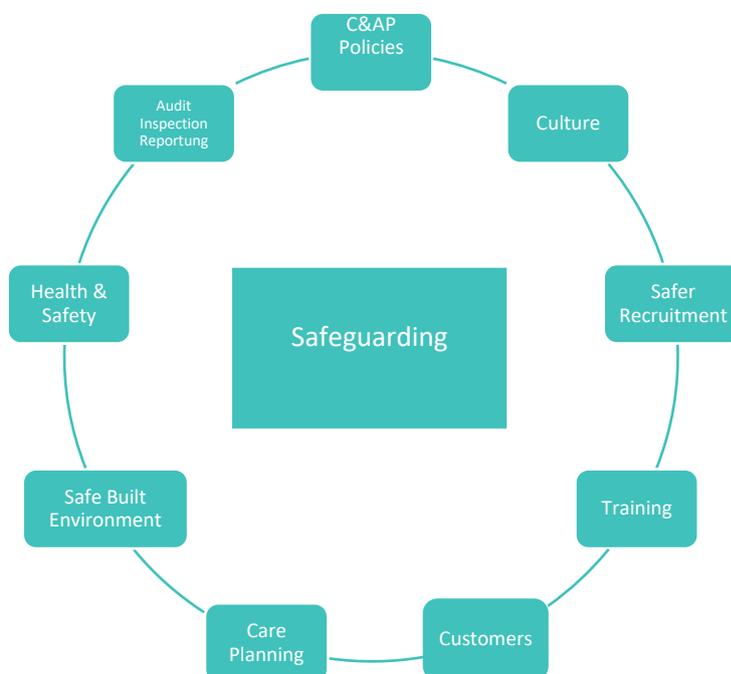
initiatives and a learning culture, interacts with various aspects of our organisation, all working together towards the common goal of providing a secure and nurturing environment for every individual in our care.

As such it:

- Reflects legislative and regulatory requirements.
- Provides detail on the organisation’s approach to the protection of children, young people and adults we support.
- Supports Capability Scotland’s commitment to provide exemplary care, support and education to disabled children, young people and adults.
- Recognises the commitment to Getting it Right for Every Child (GIRFEC) and to upholding the UN Convention of the Rights of the Child in all service delivery.
- Reflects the principles underpinning individual human rights of freedom, respect, equality, dignity, and autonomy.
- Is informed by best practice and reviewed / audited at least bi-annually, taking account of the latest research and policy.
- Supports the pro-active development of safe and effective services and schools.

#### 4. How Capability Scotland Safeguards:

Capability Scotland’s approach to safeguarding our customers, staff, volunteers, and Trustees is holistic, covering the areas below.



#### 4.1. Creating a safeguarding culture

Capability Scotland is committed to building a safeguarding culture where staff, young people, customers, volunteers, and their families treat each other with respect and are comfortable sharing concerns. Our safeguarding framework defines the ethos of the organisation, which should ensure that those we support:

- Are treated with respect and dignity
- Treat others with respect
- Have a voice and are listened to
- Are protected from harm

Through discussions with the people we support and their families, we ensure our policies and procedures support their needs and aspirations.

Capability Scotland's Values put safeguarding at the heart of the organisational culture. These values all contribute to the wellbeing of every individual we support and ensuring they have the opportunity to thrive.



#### 4.2. Safeguarding through effective policies and procedures

Capability Scotland has a robust suite of policies and procedures, collectively and individually contributing to the safeguarding of our people.

The Child and Adult Protection Policies form an integral part of Capability Scotland's commitment to safeguarding and is intended to inform and direct decision-making and operations that support the protection of vulnerable individuals. More broadly effective safeguarding is achieved through the policies and practices that we follow to keep children, young people, and adults safe and promote their well-being and rights. To achieve this all of Capability Scotland's policies and procedures will consider the need for effective safeguarding.

At Capability Scotland there is a focus on quality and continuous improvement within our schools and services. Capability Scotland's Quality and Improvement Framework utilises a planned and systematic approach to monitoring, assessing, and improving the quality of all the services that we provide. This drive for continuous improvement ensures our safeguarding approach is up to date and informed by learning at all levels.

### 4.3. Safeguarding Roles Responsibilities & Training within Capability Scotland

In accordance with the requirement of national child and adult protection procedures, there are two designated protection officers, one for children and one for adults, who will deputise for one another when unavailable. The Director of Services and Business Development is the Organisational Lead Officer for Adult Protection and the Lead Officer for Child Protection matters. The Deputy Director of Services will act in this role in the absence of the Director.

**Personal conduct-** staff are expected to maintain professional boundaries with those they support and to follow both the 2.2.3 Code of Conduct and 2.2.21 Hospitality & Gifts procedure. Where staff members have a concern, and they do not feel able to report through their line management channels they should refer to 2.2.8 Whistle-Blowing Procedure for further guidance. Care and Support staff are required to work within the relevant professional standards as set out within the Codes of Practice for Social Service Workers and Employers - Scottish Social Services Council ([sssc.uk.com](http://sssc.uk.com)). Teachers, Allied Health Professionals and other staff will be required to work in accordance with their own relevant professional standards pursuant to their professional registration.

**Staff support and supervision:** Managers work hard to ensure a culture of openness and support to staff. Staff should receive regular support and supervision with their line manager. The aim of these sessions is to provide support and the opportunity to explore any issues that have arisen in the course of their day to day duties. It is also used by managers as a private meeting when a staff member's knowledge of policies and procedures may be reinforced, as required. Staff attend **Annual Performance reviews** and regular supervision sessions with their Service Manager.

All staff who work directly with children, young people and adults attend regular team meetings. These are opportunities to highlight policies, stress their importance and ensure all staff can raise issues of concern. Service management routinely carry out **observations of staff practice**.

All staff, volunteers and Trustees undertake Child and Adult protection and Safeguarding training to enable them to identify harm and abuse and how to report this.

**Awareness raising and training:** Capability Scotland is committed to ensuring all those who are employed by the organisation are trained to the appropriate level to fulfil both their job, and safeguarding roles and responsibilities. All staff must complete a Child protection Learn Pro module and an Adult Protection Learn Pro Module. Safeguarding information and awareness raising sessions are delivered across the organisation to staff and customers. Safeguarding should be a standing agenda item in service team meetings, supervision sessions and service meetings for people we support. All staff should be aware of the importance of Trauma Informed Care and this will be considered as part of Child and Adult Protection training. Trauma-informed practice is an approach to care and support which is grounded in the understanding that trauma exposure can impact an individual's neurological, biological, psychological and social development. This approach ensures that our organisation provides care and support that is sensitive to the needs of those who may have experienced trauma. Our commitment to trauma-informed care involves equipping staff with the knowledge and

skills to understand the effects of trauma and respond appropriately to behaviours rooted in past experiences. Integrating trauma-informed principles across our policies and practices reflects our dedication to person-centred care, ensuring that all individuals feel valued, respected, and supported.

Staff group	Mandatory Child & Adult Protection Classroom based training	Child Protection Learn Pro module annual refresher	Adult Protection Learn Pro module annual refresher	Safeguarding Training on LearnPro*
All front - line care staff and ancillary staff within service (CLA, SW, ASW, Housekeeper, driver etc,)	✓	✓	✓	✓
Executive Team including the Organisational Lead Officer for C&AP	✓	✓	✓	✓
Operations, Service and Care & Support managers, Head Teachers and Teaching staff and Designated C&A Protection Coordinators	✓	✓	✓	✓
Team Leaders	✓	✓	✓	✓
Allied Health staff	✓	✓	✓	✓
All non - service /back-office staff	✓	✓	✓	✓
Board members	✓	✓	✓	✓

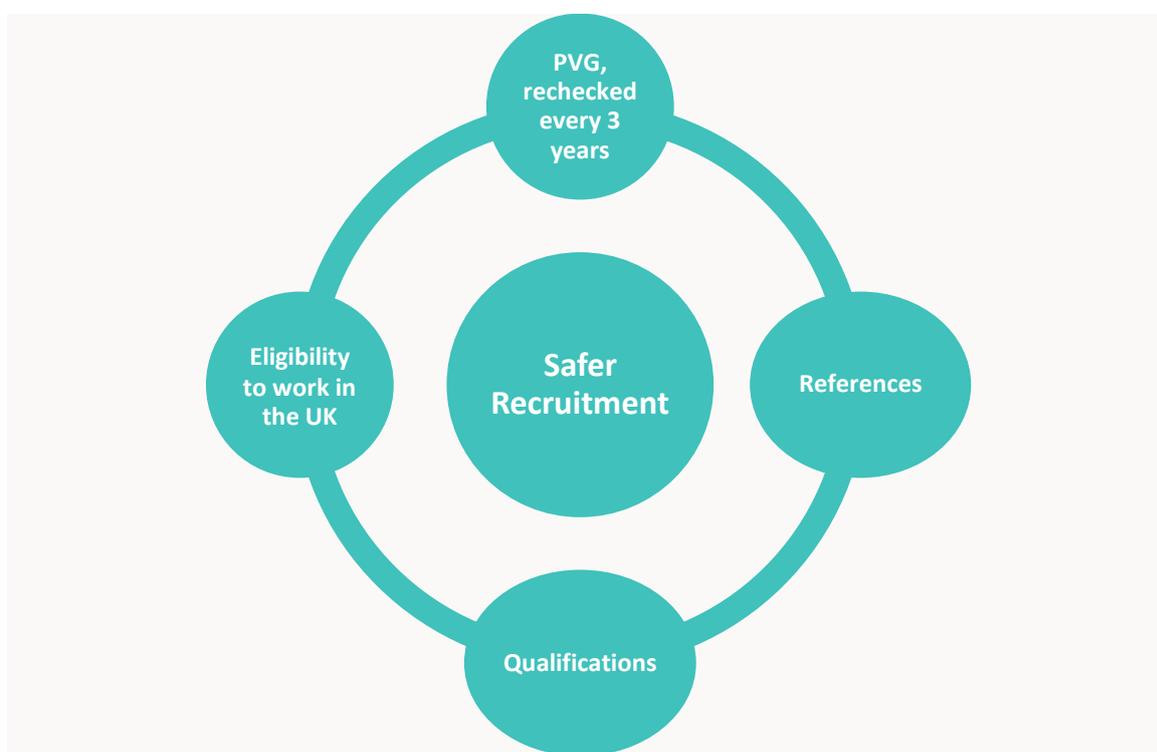
\*Service Managers and Head Teachers may also arrange for staff to access Local Authority Safeguarding Training where appropriate.

**Child and Adult Protection Forums:** Safeguarding is discussed at individual Child and Adult Protection Forums facilitated by the Lead Officers and attended by: Operations Managers, Quality & Improvement Manager, Head of Health and Care, Registered Managers and Head Teachers as appropriate.

The purpose of the forums is to coordinate continuous improvement activity, strategic planning around safeguarding and public information and communication. The work of the Child and Adult Protection forums must be reflected in local practice and meet local needs. The remit of each forum is set out in Appendix 1 and 2.

#### 4.4. Safer recruitment:

Capability Scotland recognises the importance of having the right staff with the right values and to ensure this we are committed to National Safer Recruitment Guidance developed by the Care Inspectorate.



All appointments will be conducted in accordance with 2.1.1 Referencing Procedure

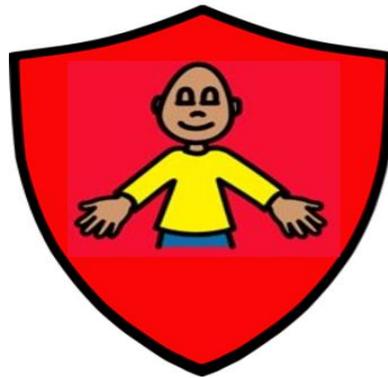
#### 4.5 Promoting understanding of Safeguarding for people we support

To inform both children and adults we support what abuse or harm is and identify if, or when they are subject to any form of abuse, our safeguarding communication booklets are available in various formats including: easy read, symbolised, audio and Makaton have been produced and distributed to all services.

We also recognise that safeguarding is most effective when individuals feel empowered to speak up. To support this we actively promote opportunities for people we support to share their views and concerns through a range of accessible forums and communication methods. Whether through keyworker discussions, group meetings, suggestion boxes or digital tools, we aim to ensure everyone is able to make themselves heard. Encouraging regular open feedback helps individuals develop confidence in raising issues and contributes to a culture where people are active participants in their own safeguarding.

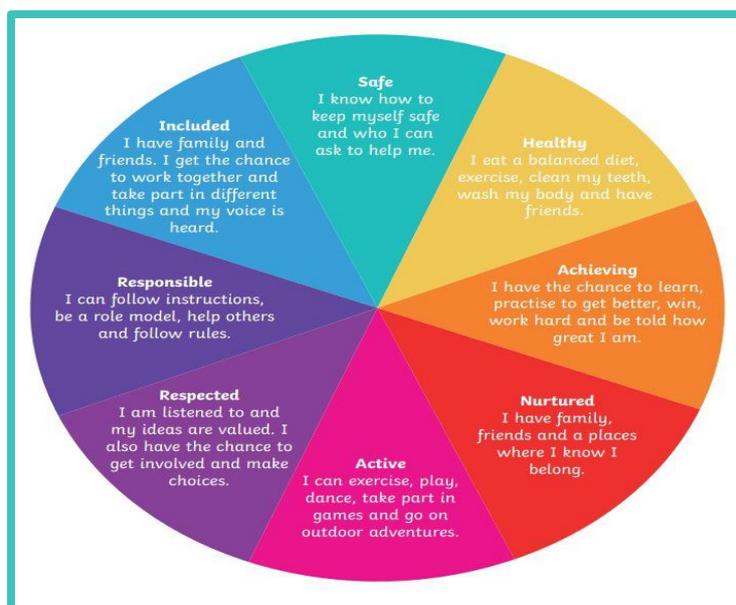
In addition to this we promote to everyone we support their right to raise a formal complaint through the complaints procedure. This is another opportunity for individuals to raise concerns and highlight safeguarding issues at an early stage.

A Safeguarding logo shown below, which is easily identifiable, is promoted on posters displayed in services, and teaching materials. There are annual safeguarding roadshows across all Capability Scotland services for customers and learners. Registered Service Managers and Head Teachers are responsible for ensuring the safeguarding framework is fully adhered to within their service or school.



#### 4.6 Safeguarding through effective care planning and recording 3.1.6 Care & Support Plans Procedure

Capability Scotland’s Care and Support Plans has the safeguarding of children and adults embedded throughout. Services use the SHANARRI indicators below, to measure outcomes of support which promote inclusion, health, wellbeing, and safety of everyone who uses Capability Scotland services. These outcomes are measured throughout support and bi-annually upon review. They are also audited internally and externally.



#### 4.7 Safeguarding through a safe built environment

The following measures have been put in place to ensure a safe environment for our people:

- **Estates Strategy** – This ensures our buildings are fit for purpose and includes an annual action plan for required works.
- **Estates Staff** - Capability Scotland has a dedicated Estates staff team to support services to maintain the environment to a high standard and ensure our buildings are safe.
- **Planned Preventative Maintenance** - Estates have a planned maintenance programme in place to ensure the upkeep of buildings and ensure a safe environment.
- **External contractors and Contracted maintenance** – Contracts are in place with various organisations to support delivery of a safe working and living environment.

This coordinated approach to maintaining the built environment plays a critical role in safeguarding by creating spaces that are safe, accessible, and responsive to the needs of vulnerable individuals. A well-managed physical environment supports consistency, reduces risk, and enhances quality of life. For the people we support, this contributes to a greater sense of security, dignity and wellbeing, enabling them to engage more fully and confidently in daily life. Ensuring the environment is appropriately adapted and maintained is an important part of upholding their rights and promoting positive outcomes across all areas of care and support.

#### 4.8 Health and Safety:

Capability Scotland's is committed to ensuring the health, safety and wellbeing of staff, customers and others affected by the organisation's business. A suite of Health and Safety Policies and Procedures set out the health and safety responsibilities of management and staff and contribute to our holistic safeguarding approach.

Capability Scotland's Health and Safety Advisor offers support to all services. They will be responsible for maintaining appropriate policies and procedures across all aspects of Health and Safety in the work place and will be maintained within the relevant policy folder. All Health and Safety policies and procedures will require to individual staff members to complete the "Read Receipt" Microsoft Form for each individual P&P they have read.

#### 4.9 Audit, Inspections and Reporting

In our effort to constantly improve, three key tools guide our approach: Reporting, Internal Audit, and Improvement Planning. These elements work together to help us refine our safeguarding framework and enhance our services over time.

**Reporting:** Our reporting systems encourage everyone involved in our services to quickly share any concerns about the safety and well-being of individuals with disabilities. This open communication not only helps us respond promptly to issues but also provides valuable data for our internal audit.

**Internal Audit and Improvement Planning:** Our internal audits are a thorough review of our safeguarding practices. We regularly assess how well we're implementing our safeguarding framework, pinpointing what's working well and where we can improve. The insights from these audits feed into our Improvement Planning. This is where we set specific goals, lay out targeted actions, and establish timelines for making necessary changes. By keeping this process practical and responsive, we ensure our safeguarding practices stay in step with the best practices, legal updates, and the unique needs of the individuals we support. This approach ensures that our commitment to continuous improvement stays central to our mission, supporting the ongoing development of our safeguarding practices. Activities include both announced and unannounced internal audits as well as external verification and regulation.

External bodies who audit and inspect include:

- Care Inspectorate
- Public Health Scotland
- Local Authority Quality Assurance Inspectors
- Social Work departments
- Commissioning Authorities and Compliance teams
- Education Scotland
- Environmental Health
- Scottish Fire & Rescue
- Contracted audit services
- NHS Community Pharmacy Enhanced Service
- Advanced Care Home Team

Capability Scotland inspects services through:

- Quality control internal audits
- Management oversight - Operations Managers audits
- Health and Safety audits
- Records Retention Housekeeping exercises
- Data Protection/GDPR spot checks

## **5. Child and Adult Protection Policies and Procedures**

Child and Adult Protection is an important aspect of Safeguarding. These policies and procedures are about how we keep children and vulnerable adults safe from abuse, neglect and situations which may cause significant harm. While Safeguarding as outlined in this Framework is a wider approach to keeping people safe, Child and Adult Protection each have particular legal requirements, these are set out in the respective policies and procedures.

**Reporting a Concern:** All Capability Scotland staff are required to report to the appropriate manager if they become aware of or suspect harm to a vulnerable individual. It is the responsibility of the manager to pass the concern on to the appropriate statutory body,

whether the Local Authority/Social Worker or other appropriate person such as Police Scotland or the Care Inspectorate.

The full process for reporting a concern is detailed within the respective Child and Adult Protection referral procedures.

Accident and Incident reports completed by service staff are reviewed weekly by the Quality and Improvement Manager, and safeguarding concerns are reported to the Executive Team as part of a Key Points Information report. The CAMI system will alert Operations Managers, Director and Deputy Director of Adult Services, and the Quality and Improvement Manager of both child and adult protection concerns being raised.

All Child or Adult Protections referrals are reported to the Executive Team monthly and are reviewed quarterly by the Executive Team and the Service Quality Committee, which is a subgroup of the Board of Trustees.

## **6. Duty of Candour**

Capability Scotland has a Duty of Candour as set out under national legislation and guidance. The organisational Duty of Candour procedure is a legal duty which sets out how organisations should tell those affected that an unintended or unexpected incident appears to have caused harm or death. They are required to apologise and to meaningfully involve them in a review of what happened.

## **7. Continuous Improvement**

Service Managers will consider as part of their self-evaluation and service improvement and development processes areas which impact on safeguarding practice. This proactive approach enables us to refine our services, enhance the overall experience for those in our care, and maintain a commitment to continuous improvement.

## **8. Quality Assurance**

Quality assurance processes play a pivotal role in ensuring that our organisation delivers services of the highest standard. These processes are essential for systematically evaluating and monitoring the effectiveness of our operations, policies, and practices. By implementing rigorous quality assurance measures across different levels of the organisation, we not only identify areas of excellence but also opportunities for improvement. Quality assurance is not just how we benchmark excellence; it gives us the tools to promote accountability, transparency, and a continuous commitment to the highest standards throughout our organisation.