



NORTH EAST SCOTLAND POLICE WELFARE FUND
Registered Charity SCIO 044963

SAFEGUARDING AND NOTIFIABLE EVENTS

POLICY DOCUMENT

INTRODUCTION

OSCR has highlighted Safeguarding and Notifiable events and the need for charities to have an ongoing awareness of the issues which arise therefrom.

The North East Scotland Police Welfare Fund (NESPWF) (the Fund) acknowledges this and formulates this policy document on the basis of the guidance provided by OSCR. Furthermore, the Fund acknowledges that, failure to take cognisance of this policy in the day to day operation of its business, is likely to damage the Fund's reputation and indeed that of the greater charity movement.

FUNDAMENTAL ISSUES APPLICABLE TO THE DAY TO DAY RUNNING OF THE FUND

The public has a right to expect the highest standards of governance from charity trustees – charity law also requires this. As with any charity, the Fund, when working with vulnerable beneficiaries or volunteers, needs a heightened focus on possible abuses of power that might lead to bullying, harassment or sexual misconduct.

The legal duty of all charity trustees is to act in the best interests of their charity and, in particular, to act with due care and diligence. Thus, the Fund's Charity Trustees should make sure they create a safe environment for any staff, beneficiaries and volunteers.

As a charity, it is important to have policies, procedures and practices in place to make sure that everyone is kept safe. The Fund, through its Management Information and Rules document and the supporting documents thereto, provides a framework and adherence to the policies and processes detailed therein should achieve this.

It is important for Charity trustees to develop a culture that enables anyone to report concerns, whilst making sure that those concerns are dealt with appropriately and in a sensitive manner.

It is important to remember that Charity Trustees are the ones who are ultimately accountable when something goes wrong in a charity, and it is up to them to take appropriate action when it is required.

Safeguarding (keeping vulnerable beneficiaries, volunteers and staff safe)

Key actions for Charity Trustees to take -

- Know what you have to do – trustees must follow charity law. Furthermore, Charity Trustees should consider, on an ongoing basis, whether there is a need to take further action in relation to other specific statutory duties e.g. is membership of the Protection of Vulnerable Groups scheme required?
- Charity Trustees should assess the Fund's safeguarding risks and address them where necessary.
- Charity trustees should make sure that the charity's policies and procedures are effectively applied in practice throughout the organisation and that there is confidence that they will continue to be followed in the future.
- Charity Trustees should review the Fund's safeguarding policies and procedures at least every 12 months. If there are gaps, they should ensure that any new policies or procedures are in line with the charity's purposes and the law.

- Charity Trustees should encourage a safe environment so that volunteers, staff and beneficiaries feel that they can speak up when they think something is going wrong.
- Charity Trustees should be decisive with any action they have to take, as procrastination can be viewed as complacency.
- Charity Trustees should be transparent when incidents do occur, and then learn if things go wrong.
- Charity Trustees should ensure that serious incidents are reported to OSCR and other relevant bodies.

Notifiable events

When problems occur, it is important for Charity Trustees to address them vigorously and transparently. This may require the 'Notifiable Events System' to be implemented.

A Notifiable Event could be –

- Fraud or theft
- Significant financial loss
- Incidents of abuse or mistreatment of vulnerable beneficiaries
- A lack of Charity Trustees required to make a legal decision
- When the charity has been subject to a criminal investigation or an investigation by another regulator or agency; sanctions have been imposed, or concerns raised by another regulator or agency
- When significant sums of money or other property have been donated to the Fund from an unknown or unverified source
- Suspicions that the Fund and/or its assets are being used to fund criminal activity (including terrorism)
- Fund Trustees acting improperly or whilst disqualified

There is no legal requirement to report a Notifiable Event. However, it is an important way for charities to reassure OSCR, and other interested parties, that they are on top of the issues they are facing. Ultimately, OSCR may become concerned if they become aware of a matter that has not been reported to them, especially if it goes on to have a negative impact on the charity or the wider charity sector.

Whilst it all appears very much like common sense, it is important that Charity Trustees are aware of the process and the type of issues to which it applies.

SAFEGUARDING AND NOTIFIABLE EVENTS – ONGOING CONSIDERATION/REVIEW

The Fund considers that Safeguarding and Notifiable Events are important issues. As such they will be a standing item on the Agenda of all Management Board meetings.

Notwithstanding the above, at any time during the course of a year, where a Safeguarding or Notifiable Event issue is suspected or probable, this will be immediately reported to the Charity Trustees who will evaluate the situation and the impact this may have on NESPFW business. Appropriate action will flow from said evaluation.

In addition, Safeguarding and Notifiable Events, will be reviewed annually and reported on to the Charity Trustees/Membership at the Annual General Meeting (AGM) where it will be a standing item.

ACTION TO BE TAKEN IN THE EVENT OF A SAFEGUARDING OR NOTIFIABLE EVENT ISSUE

In the event of any serious incident involving Safeguarding or the occasion of a Notifiable Event manifesting itself, the Fund will ensure that the matter is reported to OSCR and other relevant bodies as appropriate.

Failure to comply with the provisions of this policy may involve the restriction of access by Charity Trustees to Fund matters or removal from the fund as a Charity Trustee.