

# Safeguarding, Integrity, and Child Protection Policy

## Purpose

This policy sets out how Refugee Youth Service UK (RYS) safeguards and protects all those connected to its work. This includes children and adults at risk as well as staff, volunteers and visitors.

In particular, unaccompanied children and young people require in-depth and specialist safeguarding measures due to them being alone, in an unfamiliar country and likely surrounded by people unable to speak their first language. They may have experienced trauma in their country of origin, on their journey to Europe, or through their treatment in Europe. They are likely to be uncertain or unaware of who to trust and of their rights. Unaccompanied children and young people are extremely vulnerable and may also be traumatised following the loss of many familiar people and parts of their 'old' life in their country of origin, being exposed to abuse and exploitation, and for having witnessed various forms of violence, possibly directed at them and/or those close to them. They may find it difficult to communicate and difficult to trust. It is vitally important that anyone contemplating working or volunteering with children needs to consider whether they have the time, space and support required before they begin. The support given to children will be most effective where it is provided through a stable, professional, and continuous relationship with the team of adults providing support.

## Who the policy applies to

Safeguarding is everybody's responsibility. All staff, volunteers and visitors of Refugee Youth Service have a responsibility to safeguard and promote the welfare of those we support and come into contact with. This policy applies to all Refugee Youth Service staff, volunteers and any visitors, including direct work and administrative roles.

## Legislation and Guidance

The UK and international legislation, guidance and case law that underpins RYS safeguarding policies, practices and procedures is as follows:

### Legislation

1. **Children Act 1989** – Establishes the legal framework for the care and protection of children, including local authority duties towards looked-after children.
2. **Children Act 2004** – Strengthens safeguarding responsibilities for local authorities and partners.
3. **Children and Social Work Act 2017** – Introduces corporate parenting principles and further protections for care-experienced children.
4. **Immigration Act 2016** – Includes provisions on age assessments and support for asylum-seeking children.
5. **Borders, Citizenship and Immigration Act 2009** – Introduces the duty to safeguard and promote the welfare of children in immigration decisions (Section 55).

6. **Nationality and Borders Act 2022** – Contains controversial changes to age assessment procedures and asylum claims for children.
7. **Illegal Migration Act 2023** – Introduces restrictions on asylum-seeker rights, including provisions that impact age-disputed children.
8. **Care Planning, Placement and Case Review (England) Regulations 2010** – Covers care arrangements for children, including unaccompanied asylum-seeking children.
9. **Children (Leaving Care) Act 2000** – Defines responsibilities of local authorities towards care leavers, including unaccompanied children.
10. **The Children's Homes (England) Regulations 2015** – Sets standards for accommodation of children in care.
11. **Equality Act 2010** – Protects individuals, including asylum-seeking children, from discrimination.
12. **Human Rights Act 1998** – Enshrines European Convention on Human Rights (ECHR) protections, relevant to age assessments and accommodation conditions.
13. **Care Act 2014** – Establishes duties for local authorities in relation to safeguarding adults and transition from child to adult services.
14. **Data Protection Act 1998 & General Data Protection Regulation (GDPR) 2016** – Regulates the processing of personal data, relevant to age assessments and safeguarding.
15. **Sexual Offences Act 2003** – Provides legal protection against sexual offences, including child exploitation.
16. **Protection of Freedoms Act 2012** – Introduces safeguards against abuse, including restrictions on the use of biometric data for children.
17. **United Nations Convention on the Rights of the Child (UNCRC) 1991** – International human rights treaty setting out the civil, political, economic, social, and cultural rights of children, ratified by the UK.

## Guidance & Case Law

1. **Statutory Guidance on Care of Unaccompanied Asylum-Seeking Children (2017)** – Outlines local authority duties towards unaccompanied minors.
2. **Age Assessment Guidance (Home Office, 2022)** – Provides Home Office procedures for determining age, including new 'scientific' age assessment methods.
3. **Working Together to Safeguard Children (2018)** – Multi-agency safeguarding guidance outlining responsibilities of different services towards children.
4. **Kent Judgment (2023)** – Legal ruling confirming that children in Home Office hotels should be the responsibility of local authorities under the Children Act 1989.
5. **Merton Compliant Age Assessment (2003)** – Established principles for lawful age assessments of asylum-seeking children.
6. **Care of Unaccompanied Migrant Children and Child Victims of Modern Slavery (DfE, 2017)** – Guidance on local authority duties towards unaccompanied minors.

7. **Public Law Project Report on Age Assessments (2022)** – Explains best practices and legal issues surrounding age disputes.

**Definitions**

**Safeguarding:** The proactive mechanisms put in place to prevent harm occurring to any individual either through direct or indirect contact with team members or the project. Safeguarding embodies the person as a whole, with attention to mental wellbeing, physical wellbeing, safety and security, and future prospects all being of vital importance. Safeguarding also covers the methods used to further improve these areas. This requires the integrity of the team, organisation, and project, and can take the form of awareness raising, purposeful actions to improve self-worth, and preventing harm through sound recruitment and safe programming.

**Integrity:** The quality of being honest and having strong moral principles. It is the state of being whole and undivided and having internal consistency and lack of corruption.

**Child protection:** UNICEF defines child protection as the prevention of and responding to violence, exploitation and abuse of children. This includes commercial sexual exploitation, trafficking, child labour, and harmful cultural practices such as female genital mutilation/cutting and child marriage.

**Unaccompanied Child:** A child is anyone who has not yet reached their 18th birthday. 'Child' therefore means children and young people under the age of 18. Where the person's age is in doubt, they must be treated as a child unless, and until, a full formal age assessment shows the person to be an adult. The UN Committee on the Rights of the Child defines unaccompanied children as those 'who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so'.

**Adult and Risk:** The International Service defines adults at risk as any person over the age of 18 who is or may be in need of additional support by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation. Displaced persons are some of the most vulnerable people globally, at high risk of harm and exploitation.

**Abuse and exploitation:** The UNHCR makes clear there is considerable overlap between the terms "abuse" and "exploitation". Abuse is defined as 'the process of making bad or improper use, or violating or injuring, or take bad advantage of, or maltreatment' of the person. Whereas exploitation literally means "using for one's own profit or for selfish purposes". The abuse of children or adults includes physical, emotional, sexual mistreatment or neglect of that person's basic needs. These forms of abuse result in actual or potential harm to that person's physical and emotional health including their sense of self worth, survival and development. Exploitation of children or adults refers to the use of that person in work or other activities for the benefit of others and at the detriment of that person's physical or mental health, development and/or education. People need to be aware that even if the person has perceived benefits, for example, crossing to the UK or gaining resources, if the activities they engage in risk their physical or mental health, development or education and there seem to be no other options for them, whilst benefiting others, they are still being exploited.

Physical abuse: Most reputable sources describe physical abuse as any action resulting in physical harm. This could include injuries such as broken bones, burns or cuts, medication tampering or withholding of medication, or poisoning.

Sexual abuse: The NSPCC defines the sexual abuse of children as when 'they are forced or persuaded to take part in sexual activities' and makes clear that this doesn't have to be physical contact. It can happen verbally and/or remotely, e.g. online. The sexual abuse of adults is often termed as any sexual act perpetrated by one person towards another without consent, this includes rape, unwanted touching, sexual harassment and online abuse. All persons regardless of age, location or vulnerabilities are at risk of sexual abuse.

Sexual exploitation: The World Health Organisation describes sexual exploitation as 'any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, threatening or profiting monetarily, socially or politically from the sexual exploitation of another'.

Psychological abuse: Any behaviour that causes another to have low self-worth and self-value, or to feel as though their worth and value is dependent on meeting another's needs, amounts to Psychological abuse. This could include behaviour such as threatening, isolating, discrediting, belittling, teasing, humiliating, bullying, confusing and/or ignoring' of a person. Unaccompanied children are highly likely to have experienced and be at continued high risk of psychological abuse from authorities, citizens, associates, or aid workers' poor practices.

Financial or material abuse: Most reputable sources describe financial abuse as the control over one person's ability to use, acquire or maintain financial resources in order to keep that person dependent and under the abuser's control. This could also relate to material resources essential to that person's survival or needs.

Neglect or acts of omission: Most reputable sources describe neglect as the failure to meet a person's needs or the failure to act to protect a person from harm. This can include failure to provide access to appropriate health care, social care or educational services.

Human trafficking: The UNODC defines human trafficking 'as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation'.

Child labour: The ILO defines child labour as 'work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development'.

### Policy statement

Refugee Youth Service is absolutely committed to safeguarding and protecting the children it supports and adults at risk who come into contact with the organisation, regardless of gender, ethnicity, disability, sexuality or beliefs. Refugee Youth Service believes that every individual who accesses our services should be treated with dignity and respect. Refugee Youth Service is committed to listening to children and taking action to promote their safety and wellbeing.

Refugee Youth Service is committed to creating, implementing and reviewing child protection procedures in order to protect and safeguard children and adults at risk. Part of this commitment means there is a Designated Safeguarding Lead.

All Refugee Youth Service staff, volunteers and visitors come into direct and indirect contact with those we help. Refugee Youth Service is committed to safely recruiting staff and volunteers, and will ensure that all staff and volunteers receive the training and support to follow the safeguarding and child protection procedures of the organisation. All staff and volunteers receive safeguarding refresher training annually.

All staff, volunteers, consultants and visitors are required to read Refugee Youth Services Safeguarding Policy, the relevant detailed child protection procedures, and the Code of Conduct to know their responsibilities in their role. These specific policies and procedures are all outlined and referenced below.

### **How we will recruit safe staff**

Refugee Youth Service is committed to recruiting staff who are safe to work with children. All staff and volunteers will have Disclosure and Barring Service (DBS) checks and receive bespoke training and regular one to one supervision. All staff and volunteers must also provide a reference from a previous employer.

### **How we manage allegations of abuse from children about staff, volunteers or visitors**

Refugee Youth Service will take all allegations seriously and respond immediately and appropriately to safeguard children from future harm. Any staff, volunteers or visitors who are alleged to have harmed a child will be immediately suspended pending investigation. Only those persons who need to be made aware of the allegation will be informed.

### **How we prevent and respond to bullying**

Refugee Youth Service does not tolerate any form of bullying or harassment towards its staff, consultants, or volunteers. Please see our Bullying and Harassment Policy.

### **Whistleblowing**

Refugee Youth Service is committed to having appropriate systems in place to ensure staff, volunteers and beneficiaries can raise concerns regarding the service the organisation provides or the treatment of any person. All staff and volunteers should speak and/or put in writing their concerns directly to their manager as a first point of call. Should they feel their concerns are subsequently not listened to or responded to appropriately they can then raise this with the Designated Safeguarding Lead. If these steps are done and there is still no satisfactory response, or if it is felt that it would not be possible or safe to do so, staff and volunteers can follow the RYS Whistleblower Policy.

### **Contact with Adults at risk**

Staff and volunteers, consultants and visitors may come into direct or indirect contact with adults at risk. All staff, volunteers and visitors should present themselves with professionalism at all times and demonstrate respect to adults at risk. Refugee Youth Service does not accept any unprofessional inappropriate relationships or

interactions between staff, volunteers or visitors and adults who are part of the community that RYS exists to serve - most commonly asylum seekers, refugees and migrants. Volunteers and staff should be aware of the power imbalance between themselves and beneficiaries, and be clear that it is not possible to be "friends" when there is this level of power imbalance.

Staff, volunteers and visitors should not share their personal contact details or engage in inappropriate activities, such as smoking, that may encourage beneficiaries to continue engaging in unhealthy and risky behaviour. Staff, volunteers and visitors should not give any advice to adults regarding immigration or asylum. Instead, they must refer to appropriate agencies. It is important that all staff and volunteers are aware that should they ever believe an adult to be at risk of harm or to have been harmed, that they have a responsibility to respond appropriately to safeguard them. This will depend on the situation and you should speak to the Designated Safeguarding Lead for advice if in doubt. This may include contacting the police, medical services, and/or other humanitarian aid agencies.

### **Contact with Children**

Refugee Youth Service is committed to ensuring that the general conduct of all its staff, volunteers, consultants and visitors is respectful, supportive and focuses on ensuring children's safety. All staff, volunteers, consultants and visitors will come into direct contact with children and all have a responsibility to follow the policies and procedures set out here.

Refugee Youth Service will not tolerate any inappropriate interactions or relationships between staff, volunteers and children. All staff and volunteers should remain professional and at all times and act as role models to promote healthy and safe adult-child relationships, coping strategies and behaviour. Staff and volunteers must always wear organisational ID to make clear their association with Refugee Youth Service. Any breach of this may result in a breakdown in trust between children and Refugee Youth Service, and potential disciplinary action against the individual staff or volunteer. Please refer to the Code of Conduct and Disciplinary Procedures Policy for details regarding this.

All unaccompanied children need to be informed of their rights and options. Refugee Youth Service is committed to protecting children from these risks as much as is possible. Refugee Youth Service is committed to building its capacity and practices to maximise the potential for children to make informed decisions in an unstable and complex environment.

For detailed guidance and procedures please see our Social Media Policy, Emergency Phone Policy, and Code of Conduct, or speak with the Designated Safeguarding Lead.

### **Safeguarding in partnership with other organisations**

Refugee Youth Service is committed to working in close partnership with other organisations to safeguard and protect children and adults at risk. We respect our duty and responsibility to act appropriately and to promote best practice in all our partners at all times.

All staff, volunteers and visitors are expected to adhere strictly to and model the Code of Conduct at all times, and follow the Codes of Conduct of partner organisations. We expect our partner agencies to uphold the same commitment to prevent abuse and exploitation, and have an equally robust Code of Conduct for all their staff and volunteers to follow.

Refugee Youth Service is committed to raising awareness of safeguarding issues, and ensuring there are appropriate procedures and practices in place for children in the areas it operates with all partner agencies. Through our representatives we will work closely with and support our partner organisations to address any issues of safeguarding for children and adults at risk in their organisations and communities they serve. We aim to ensure everyone is working to a high standard with the knowledge and support needed to safeguard and protect children and adults at risk. Refugee Youth Service can provide safeguarding training for its key partners and has clear procedures for partner organisations to use for identifying and reporting concerns or suspected cases that it can share.

Refugee Youth Service expects all its partners to read and comply with this Safeguarding Policy, or to have their own Safeguarding Policy which is equally or more robust. All partners will be required to explain what safeguarding measures and procedures they have in place. We will ensure that all our partners will:

- 1) Submit any policies to us before starting any project
- 2) Show evidence that safeguarding has been considered in the design of the project
- 3) Provide details on how they manage safeguarding concerns
- 4) Ensure there are clear referral processes to Refugee Youth Service for unaccompanied children, and other appropriate organisations for adults at risk or children with families
- 5) Agree to discuss all safeguarding concerns regarding unaccompanied children with the Designated Safeguarding Lead or management of Refugee Youth Service
- 6) Agree to collaborate with investigations
- 7) Be aware of Refugee Youth Service's Whistleblowing Policy.

Where the project works with children or adults at risk and does not have written policies in place, steps will be taken to support the organisation to have adequate written policies before the making of any grants or applications for projects overseas.

Refugee Youth Service is committed to raising awareness of safeguarding issues for displaced persons and unaccompanied children, in the UK and across Europe. Refugee Youth Service is working hard to improve the understanding and procedures of local statutory and non statutory services for children. Refugee Youth Service is committed to advocating for policy change across the UK and Europe in order to ensure there are adequate safeguarding procedures in place to protect unaccompanied children from exploitation and ensure their rights. We are also committed to sharing our safeguarding policies and procedures with agencies across the UK and Europe in order to improve the child protection systems in place for children in these locations.

### **How we respect the confidentiality of children and adults at risk**

Refugee Youth Service recognises that the welfare and safety of children and adults at risk is absolutely paramount, and does not promise confidentiality to any of the people we support. Staff and volunteers should



never give absolute guarantees of confidentiality to anyone wishing to tell them about something serious. Staff, consultants and volunteers are however expected to share with third parties only the essential information needed to protect and safeguard children or adults at risk.

In respect of adults at risk all actions, including referrals to the authorities, must be subject to the consent of the service user. In every situation, it will be assumed that a person can make their own decisions and action will only be taken in the absence of consent from the service user where:

- they or others are in physical danger
- after seeking advice from an appropriate agency, you have been advised to report the concern as it is believed that the adult at risk is unable/incapable of making an informed decision for himself or herself.

### **How we keep data protected**

Refugee Youth Service is committed to keeping data secure in order to protect children, this is detailed in our Data Protection Policy. For more detailed guidance on how to put this policy into practice please refer to our Data Protection Procedure and Information Request Policy.

### **Roles and Responsibilities**

The Board of Directors and the Designated Safeguarding Lead are accountable for safeguarding within the organisation and will ensure there is a clear framework in operation for the accountability of safeguarding procedures.

The Board of Directors and the Designated Safeguarding Lead will provide advice and support to staff, volunteers, and visitors unsure about how to proceed with particular cases and, alongside the CEO, take responsibility for the safe delivery, quality and effectiveness of RYS services. They will also stay abreast of developments on safeguarding best practice, and advise on changes to policy and practice.

### **Reviews**

This policy will be reviewed annually and when new UK and European safeguarding laws and legislations come into force.

**The next review date is 31/03/2026.**