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## Safeguarding Policy

### 1. Introduction

- 1.1. The Health and Care Professions Council (HCPC) is a statutory regulator of healthcare and psychological professions governed by the Health Professions Order 2001. We regulate the members of 15 professions.
- 1.2. HCPC has a statutory duty to protect and promote the health, safety and well-being of the public, which we do by:
  - Setting the standards for professionals' education and training and practice;
  - Keeping a Register of professionals who meet our standards; and
  - Responding and taking action if professionals on our Register do not meet our standards.
- 1.3. Our four core values underpin everything that we do. We strive to be:
  - Fair – being honest, open and transparent;
  - Compassionate – treating people with respect, empathy and care;
  - Inclusive – collaborating with others and championing diversity;
  - Enterprising – seeking opportunities to improve our performance.

### 2. Purpose of this Policy

- 2.1. As a regulator and a public authority, HCPC has a responsibility to play our part effectively in safeguarding children and vulnerable adults (also known as adults at risk) from harm. While we do not work specifically with children or vulnerable adults, we may engage with them. This could include members of the public (for example, complainants) or HCPC registrants that come into contact with us over the course of our activities may include vulnerable adults. In line with our values, we strive to treat with care and compassion all those people we work and engage with, both as a regulator and an employer.
- 2.2. The purpose of this Safeguarding Policy is to outline our safeguarding responsibilities, so that our staff and partners are aware of their safeguarding obligations, and to ensure that any safeguarding concerns are dealt with and escalated appropriately.

### 3. Application and Scope

- 3.1. This Policy relates to both safeguarding and promoting the wellbeing of children and adults at risk (vulnerable adults) that may come into contact with HCPC.

- 3.2. This Policy applies to all HCPC staff and partners.<sup>1</sup>
- 3.3. This Policy sets out:
- The responsibilities of HCPC and HCPC staff and partners in relation to safeguarding and reporting concerns.
  - Existing operational guidance and procedures relevant to safeguarding at HCPC.
- 3.4. All HCPC staff and partners have a responsibility to know, understand and meet the requirements in this Policy, and other related policies and procedures that are referred to in this document in section 7.

#### **4. What is Safeguarding?**

- 4.1. Safeguarding is about protecting the health, well-being and human rights of children and vulnerable adults, so that they are able to live free from harm, abuse and neglect. Anyone who comes into contact with children or adults at risk has a role to play in identifying concerns, sharing information and taking steps to help keep them safe.
- 4.2. A child is a person aged under 18 years of age. The terms 'child' and 'children' are used in this Policy to refer to children and young people who have not reached their 18th birthday.
- 4.3. Safeguarding children is about ensuring their safety, which requires:
- Protecting them from maltreatment.
  - Preventing impairment of their health or development.
  - Ensuring they are growing up in circumstances consistent with the provision of safe and effective care.<sup>2</sup>
- 4.4. An adult at risk is any person who is aged 18 or over and at risk of abuse or neglect because of their need for care and support<sup>3</sup>.
- 4.5. Safeguarding adults includes, where appropriate, having regard to their views, wishes, feelings and beliefs when deciding on any action. It involves recognising that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.<sup>4</sup>
- 4.6. Safeguarding concerns can take many different forms, including:
- Physical, psychological or sexual abuse.
  - Financial or material abuse.
  - Neglect and acts of omission.

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<sup>1</sup> The term 'staff' includes employees, secondees, temporary and fixed term workers, volunteers and contractors.

<sup>2</sup> Department for Education, *Working together to safeguard children: statutory guidance on inter-agency working to safeguard and promote the welfare of children*, December 2020

<sup>3</sup> Care Act 2014 (England) and Social Services and Well-being (Wales) Act 2014. In Scotland, the definition of an adult at risk or vulnerable adult applies to those aged 16 years and over.

<sup>4</sup> Care Act 2014: Care and support statutory guidance (England). For Wales, see Social Services and Well-being (Wales) Act 2014: Working Together to safeguard people.

- Discriminatory abuse, such as racist or sexist remarks.

## **5. Statutory Framework**

- 5.1. Our obligation to safeguard the public derives from the Health Professions Order 2001, as well as from legislation, policy and practice across each of the four countries in the UK.<sup>5</sup> Under these frameworks, we have a broad obligation to ensure that:
- anyone who comes into contact with children or adults at risk in the course of working for, or acting on behalf of, HCPC:
    - does not pose a risk of abuse, harm or neglect to them; and
    - is able to recognise the risks and signs of abuse, harm and neglect and take appropriate action;
  - students completing HCPC approved programmes receive appropriate education and training in respect of safeguarding, including how to raise safeguarding concerns during any practice placement or other practical training; and
  - appropriate action is taken against registrants who abuse, harm or neglect a child or adult at risk or fail properly to safeguard them.
- 5.2. HCPC is committed to acting in accordance with our obligations across each of the four UK countries, and ensuring that our understanding of legislative requirements and new developments in safeguarding best practice remain up-to-date.

## **6. Our Commitment**

- 6.1. As a public body with a duty to protect and promote the health, safety and well-being of the public, HCPC is dedicated to protecting the public from harm.
- 6.2. We are committed to taking reasonable and proportionate steps to protect people who come into contact with us from harm. To do this, HCPC will:
- Be proactive in recognising potential harms and assessing risk.
  - Listen carefully to and take suitable action when concerns are raised.
  - Take appropriate steps to report concerns and escalate or refer these to other organisations where necessary.
  - Put in place appropriate measures and processes to mitigate and protect individuals from potential harms occurring.

## **7. Safeguarding at HCPC**

- 7.1. HCPC has a responsibility to safeguard the public and respond to concerns identified over the course of its regulatory activities. It also has a responsibility as an employer to ensure safe recruitment and reporting practices.

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<sup>5</sup> HCPC operates across each of the UK four countries. There are some differences in safeguarding legislation and practice in England, Wales, Scotland and Northern Ireland which HCPC is committed to taking account of and abiding by in the course of its duties.

### *Safe recruitment and staff conduct*

- 7.2. The health, safety and wellbeing of our staff is a top priority, and HCPC recognise that safe recruitment practice plays an important part in ensuring this.
- 7.3. HCPC carries out safe recruitment checks on everyone who works for us. Processes are in place for the safe recruitment, selection and retention of staff, which includes the requirement that any applicant for a role that could involve access to children and/or adults at risk undergo a Disclosure and Barring Service (DBS), a Disclosure Scotland or an AccessNI check.<sup>6</sup> All applicants are also required to declare any unspent convictions in their application form.
- 7.4. HCPC also has policies clearly outlining what is expected of staff once in employment, as well as detailed policies and processes in place for dealing with concerns raised either about or by our staff.
- 7.5. Existing policies include:
  - Code of Conduct and Behaviour
  - Grievance and Dispute Resolution Policy and Procedure
  - Disciplinary Policy and Procedure
  - [Partner Code of Conduct](#)
  - [Partner Complaints Procedure](#)
  - Health and Safety Policy Statement and Responsibilities
  - Anti-Bribery, Gifts and Hospitality
  - [Partners Anti-Bribery, Gifts and Hospitality Policy](#)
  - Fraud Policy
  - Anti Bullying and Harassment Policy
  - Equality, Diversity and Inclusion Policy
  - [Whistleblowing Policy](#)
  - [Emerging Concerns Protocol](#)
  - Guidance on Managing Suicidal Contacts
  - Guidance on Dealing with Vulnerable Registrants
- 7.6. Should a staff member be in any doubt about what to do, they should consult their manager.
- 7.7. Should a staff member have a safeguarding concern but feel unable to raise this with their manager, then they should raise this with another more senior member of staff, or with Human Resources directly. If they feel unable to take either of these measures, they are also able to raise concerns through the whistleblowing procedure set out in our Whistleblowing Policy.
- 7.8. HCPC is a Prescribed Person under the Public Interest Disclosure (Prescribed Persons) Order 2014, which means that any staff member reporting a wrongdoing or concern to us that relates to our statutory functions and is in the public interest, is protected by law from being treated unfairly or losing their job.
- 7.9. As detailed in our Equality, Diversity and Inclusion Strategy, HCPC's vision is to be recognised as an actively anti-discriminatory organisation that upholds and

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<sup>6</sup> Criminal Record Checks and Disclosure Policy and our Recruitment of Ex Offenders Policy

promotes best practice in equality, diversity and inclusion and is an ally for positive change.

- 7.10. HCPC adopts a zero-tolerance approach to discrimination on any of the protected grounds in the Equality Act 2010.
- 7.11. We are committed to providing equal opportunities to all current and prospective employees regardless of age, disability, sex, sexual orientation, pregnancy and maternity, race or ethnicity, religion or belief, gender identity, or marriage and civil partnership.
- 7.12. We take positive steps to ensure that our employees, contractors and stakeholders can enjoy an experience that is fair, equitable and free from discrimination in their dealings with us.

#### *Sharing Information*

- 7.13. Safeguarding is a collective responsibility. HCPC recognises that in order to respond appropriately to concerns raised, there must be effective inter-agency working and collaboration, which may involve sharing information where appropriate.
- 7.14. Should concerns arise about an individual which requires multi-agency working, HCPC will share information with relevant bodies in accordance with existing policies and processes for sharing information. These include the [Emerging Concerns Protocol](#) and existing [Memoranda of Understanding](#).
- 7.15. HCPC will aim to act promptly and take immediate action where necessary. Information will be shared in accordance with our existing [Data Protection Policy](#) and relevant legislation, and our procedure for handling third party requests for disclosures, where appropriate.

#### *Support and Guidance*

- 7.16. HCPC has specific guidance and resources to support staff that may come into contact with someone at risk of harm, or who may have a safeguarding concern, including HCPC guidance on Managing Suicidal Contacts and HCPC guidance on Dealing with Vulnerable Registrants.
- 7.17. Both sets of guidance provide detail for staff about how to assess the level of risk, and about when to escalate concerns to the emergency services or police. They also include detail about how staff can look after their own well-being.
- 7.18. Should staff be affected by any safeguarding concerns encountered, HCPC also offer support through an Employee Assistance Programme, which provides confidential professional counselling and advice.

### **8. Raising concerns and reporting requirements**

- 8.1. Should a concern arise that a child or adult at risk is at risk of harm, this concern should be reported as soon as possible to the relevant emergency services, such as the police and /or local authority safeguarding children or adults at risk team, as appropriate.

- 8.2. Should a concern arise that a person has engaged in relevant conduct in relation to children or adult at risk and is unsafe to work in regulated activity with children or adults at risk, HCPC will refer such concerns to the Disclosure and Barring Service (England and Wales), Disclosure Scotland or AccessNI, as appropriate.
- 8.3. Any safeguarding concern or incident identified will be reported as part of HCPC's Annual Statutory Report and Accounts. Such concerns will also be reported to the HCPC Audit Committee as part of HCPC's internal assurance report, on a quarterly basis.

## **9. Implementation and Review**

- 9.1. All staff and partners working for HCPC have a responsibility to ensure that they understand and comply with this Policy.
- 9.2. Some roles have an additional responsibility to contribute toward its review, as well as a responsibility to ensure that it is effectively embedded within our processes, and that staff are appropriately trained and informed about the Policy. These include:
  - Head of Fitness to Practise
  - Head of Registration
  - Head of Education
  - Head of Human Resources
  - Head of Policy and Strategic Relations

## **10. Publication and Review**

- 10.1. This Policy will be published on our website and reviewed regularly, to ensure that HCPC are acting in accordance with our obligations and that everyone working for HCPC is clear about what is expected of them.