

Social Crofting TOOLKITS



Safeguarding Vulnerable Adults and Child Protection

Author: Sarah Asher, Darach Croft

Social crofts and care farms by their very nature work with children and young people, and with adults who have additional care and support needs who consequently are at elevated risk of abuse or neglect. For this reason, effective safeguarding policies and practices are essential when working with these client groups. It is your duty to ensure that suitable and effective measures are in place to identify, manage and report concerns about potential abuse or neglect.

This factsheet aims to offer an introduction to Safeguarding and Child Protection to help you plan for visitors coming to your social croft and ensure that there are measures in place to make sure that they are protected from harm and abuse. A line that is used often is that “safeguarding is everybody’s business”, highlighting that we all play a role in keeping vulnerable people safe.

What is Abuse?

Abuse is harm that can occur intentionally, including hitting, stealing, intimidating, touching sexually and discriminating against someone’s characteristics, but abuse can also occur when people fail to act, for example neglecting to care for a person or child. Other forms of abuse include: Modern Slavery, human trafficking, organisational or institutional abuse, self-neglect, online abuse and bullying.

Abuse can happen to anyone, but the defining feature to consider when safeguarding is the persons vulnerability. This is often considered due to age (child or elder), gender, mental health, disability. It is also important for equality reasons that you consider all marginalised groups, including different sexual orientations, ethnicity, religion and marital status.

Legislation

Safeguarding and Child Protection responsibilities are outlined in a range of legislation. You do not need to be a law expert but you do need an understanding of the principles, individual and organisational responsibilities, where to find guidance and what to do if you identify a concern.

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The key guidance for anyone working with children in Scotland is the [National guidance for child protection in Scotland](#). In Scotland, a child legally becomes an adult when they turn 16, but the [Children and Young People \(Scotland\) Act 2014](#) includes all children and young people up to the age of 18. Where concerns are raised about a 16 or 17-year-old, you may need to refer to the Adult Support and Protection (Scotland) Act 2007, depending on the situation of the young person at risk.

The [Adult Support and Protection Act 2007](#) gives greater protection to adults who are seen as at higher risk of harm or neglect. The Act defines adults at risk as those aged 16 years and over who:

- are unable to safeguard their own wellbeing, property, rights or other interests
- and are at risk of harm
- and because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected

An overarching law that determines people's right is the Human Rights Act, that states people should be treated fairly and live free of fear and mistreatment. [The Equality Act 2010](#) outlines characteristics that people may have and be discriminated because of.

Policy, Procedures and Practice

If you are going to have children and vulnerable adults coming to your croft you will need to have a written Safeguarding and Child Protection Policy outlining what you and your team will do to prevent abuse occurring, and providing guidance on how to respond to, and report concerns. This can be a single document with separate sections on children and adults. Your policy will need to contain details of who your named Safeguarding Officer is. This person will be your Safeguarding Lead and will be responsible for following up safeguarding concerns and will be the contact person for matters relating to Safeguarding and Child Protection. Their name and contact details should be included in the policy and made available to those visiting your social croft.

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To help you and your team at the croft know what to do it is important that you write down clear guidelines, including who is responsible for reporting concerns, who to report concerns to, and what actions should and should not be undertaken if a concern is raised. A flow chart is a good way to help people identify their roles and responsibilities. Your policy should also describe the processes in place to support your team, ensuring that there are clear lines of accountability, systems for reporting concerns, and details of the actions each person needs to take to safeguard and protect children and vulnerable adults. You may wish to include the contact details for your local authority, police and any relevant regulatory bodies such as the Care Inspectorate. Safeguarding and Child Protection training is an important part of the induction process that you should deliver to all your staff and volunteers before they start to work with vulnerable people.

All staff, including volunteers, who undertake 'regulated work' or 'regulated activities' should also have a Protecting Vulnerable Groups (PVG) Scheme Certificate before they start work on the social croft. There are two types of regulated work: work with children and work with protected adults and regulated activities include:

- caring responsibilities
- teaching or supervising children and/or protected adults
- providing personal services to children and/or protected adults
- working directly with children and/or protected adults

The manager and paid employees would need to be registered through [Disclosure Scotland](#) and pay the associated fee.

If you have volunteers then they can be registered for free through [Volunteer Scotland](#) if your organisation is enrolled with them.

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Confidentiality and Information Sharing

As a social croft or care farm you will need to have Data Protection and Information Sharing Policies in place to ensure that information held about staff, volunteers and visitors is held confidentially. These policies will need to be compliant with the [General Data Protection Regulations \(GDPR 2018\)](#). GDPR enables people to have easier access to the personal data that organisations hold about them and describes a clear responsibility for those organisations to obtain the consent of people they collect information about and the way in which that information is managed. Personal data can be anything that allows a living person to be directly or indirectly identified. GDPR also defines 'sensitive personal data' that can include health information, religious beliefs, racial information, and sexual orientation and may possibly include some information gathered during the croft activity booking process. All personal information must be held securely, preferably electronically, password protected and encrypted. Any hard copy data should be kept to a minimum and stored securely in locked cabinets. Under the Data Protection (Charges and Information) (Amendment) Regulations 2019, individuals and organisations that process personal data must pay a data protection fee to the Information Commissioners Office (ICO), therefore it is good practice to register your social croft or care farm with the ICO.

Specific things that you must get consent to do include:

- Storing and sharing information, such as personal details when people book croft visits
- Taking and using photographs
- Consent to use quotes and comments in publicity material

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Your Role

You may not be committing an abusive act, but you may meet people who have been or are victims of current or non-recent abuse. Your Croft business may also attract people as volunteers or staff who have the intention to abuse others, this is where policies for recruitment help. It is essential that you get references and register with the PVG scheme.

By following good practice guidelines and understanding your legal role in safeguarding your croft will be a safe place for people to visit. Good practice includes having policies in place to guide staff, complete risk assessments, reviewing your paperwork regularly to make sure it is relevant and up to date, have good recruitment processes, ensure training is available to your team and keep your knowledge up to date. In relation to safeguarding, training should cover: What is abuse? How to spot the signs, how to respond to a concern or disclosure, who to report concerns to.

Useful links

<https://www.farmgarden.org.uk/gcf/qa-Code>

<https://learning.nspcc.org.uk/child-protection-system/scotland/www.scie.org.uk>

www.gov.scot/policies/child-protection/

