

Royal Botanic Gardens

# Kew

## Safeguarding Policy

January 2024

Version 4

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This policy outlines information in relation to safeguarding which may, for some, be difficult to read and emotionally impactful. Kew has a range of support mechanisms that can be accessed, if you have been affected by any of the material within this policy, please seek support from:

- Your line manager or sectional coordinator
- Kew’s Mental Health First Aiders, details are available on Kewnet
- the Employee assistance programme, which all paid UK-based staff can confidentiality access
- the Safeguarding department for contact details of various organisations external to RBG Kew if you would like support outside of the organisation.

## Section I – Policy

### 1. About this policy

- 1.1. The Royal Botanic Gardens, Kew (“RBG Kew”) is a world-famous centre for botanical and mycological knowledge. Through its two public gardens – Kew Gardens in west London and Wakehurst in West Sussex – RBG Kew engages with over two million visitors each year and with millions more people online. RBG Kew also has a third site in Madagascar (Kew Madagascar Conservation Centre – KMCC) with c.40 staff. RBG Kew Science staff based in the UK frequently work across the UK and internationally undertaking field trips, conferences, apprenticeship exchange programmes, outreach, and community partnership work.
- 1.2. We value our engagement with the public, including Children and adults who may be vulnerable. Most of the Children who visit RBG Kew come with their family, friends and carers or visit as part of an organised school or youth group. Similarly, adults who may be considered vulnerable or at risk, are in the main accompanied by carers. We also engage with the public in community settings through our international work.

### 2. Policy statement

- 2.1. RBG Kew strives to ensure that all staff and visitors have an entirely positive experience in their contact with us and believes that a Child or adult should certainly never experience Abuse of any kind through their association with RBG Kew. This policy, therefore, sets out how we intend to safeguard the welfare of Children and Adults at Risk that we are in contact with in our gardens, online and through our outreach and community work, both in the UK and internationally.
- 2.2. While the primary responsibility for ensuring the welfare of Children and adults rests with the accompanying supervising adult/s, RBG Kew has taken all reasonable steps to provide a physical and virtual environment which is safe for the public, as well as its own staff and volunteers and those steps are documented within this policy.

### 3. Purpose

- 3.1. This document states RBG Kew’s policy on the appropriate treatment of Children and Adults at Risk and minimising the opportunity for Abuse when they are on RBG Kew premises, or in contact with RBG Kew and associates (see Section 4 on Scope). The policy aims to:
  - Promote and prioritise the safety and wellbeing of Children and Adults at Risk.
  - Provide assurance to parents, carers, and other parties that RBG Kew takes reasonable steps to manage risks and keep Children and Adults at Risk safe.
  - Ensure that everyone understands their roles and responsibilities in respect of safeguarding and is provided with the necessary information, training, and support on safeguarding matters.
  - Prevent the employment of individuals in work with Children and/or Adults at Risk where they have been barred by the DBS or are deemed by RBG Kew to pose an unacceptable risk to Children or Adults at Risk.
  - Ensure that appropriate action is taken in the event of any allegations or suspicions regarding Abuse or Inappropriate Behaviour towards Children or Adults at Risk visiting or interacting with RBG Kew.

- 3.2. The Safeguarding Policy also seeks to manage effectively the risks associated with activities and events involving Children and Adults at Risk by ensuring staff:
- Complete a safeguarding risk assessment process which involves identifying risks in this area and means of reducing or eliminating these.
  - Implement the required actions identified by the risk assessment process and reviewing the effectiveness of these on a regular basis.
  - Where eligible, ensure that the appropriate Disclosure and Barring Service (DBS) checks are conducted for those working with Children or Adults at Risk.
  - Require employees and those involved in working with Children or Adults at Risk to familiarise themselves with the content of this policy and its Code of Good Practice.
- 3.3. This policy requires that any suspicions and allegations involving Abuse to Children and Adults at Risk are submitted to the Safeguarding department for initial triage and referral to the relevant Designated Safeguarding Lead, to determine what action, if any, must be taken. This is to ensure each situation is responded to thoroughly, and that suitable steps are taken, which may include contacting the statutory authorities (police or Child's/adult social care) and/or fulfilling the legal duty to refer information to the DBS as required. The procedure for managing suspicions and allegations aims to strike a balance between the need to protect Children and Adults at Risk from Abuse and the need to protect staff and others from false or unfounded accusations.

## 4. Scope and governance

- 4.1. This policy applies to RBG Kew, RBG Kew Enterprises Limited ("Enterprises") and the Foundation and Friends of the Royal Botanic Gardens, Kew ("Foundation") (all referred together in this document as "Kew"). All employees, trustees, officers, casual workers, and agency workers (collectively "staff") volunteers, students and contractors are required to be fully aware and adhere to this policy and are responsible for its successful implementation. Any breach of this policy (or suspected breach) should be reported to the Safeguarding department.
- 4.2. Kew's Director of Gardens has overall responsibility for the effective operation of this policy which has been reviewed, approved, and endorsed by the Board of Trustees. The policy shall be reviewed at regular intervals (as specified in Section 5.25) to ensure that it meets legal and policy requirements and reflects best practice. If you have any questions regarding this policy or any of its associated procedures, please contact the Safeguarding department.
- 4.3. Ultimate accountability for this policy resides with the Board of Trustees of RBG Kew. Visibility and awareness of safeguarding matters to senior decision-making Boards and advisory Committees at Kew is achieved through Kew's existing governance structure which includes:
- The Audit and Risk Committee, which makes recommendations to the Board of Trustees where appropriate. The Chair of the Audit and Risk Committee is also a member of the Board of Trustees, appointed as a point of liaison for safeguarding.
  - The Executive Board, responsible for reviewing this policy and for decisions on matters concerning risk management, governance, and internal controls.
  - The Safeguarding Oversight Committee, responsible for overseeing and monitoring the implementation of the safeguarding framework.

## Section II – Procedures

### 5. Safeguarding framework – procedures for keeping Children and Adults at Risk safe at Kew

Kew recognises that providing a safe environment for all, but particularly for Children and Adults at Risk, involves creating a culture in which safeguarding is second nature. As part of this, the provision of practical guidance and procedures is necessary to support staff in meeting their safeguarding responsibilities. The following section outlines the key areas of activity to support development of this culture.

#### Safer recruitment

5.1. Kew has a responsibility to ensure that all reasonable steps are taken to create a culture of safer recruitment.

- If a role involves working with Children and Adults at Risk:
  - the degree of responsibility for this should be included in the job description
  - the advert should state if the role is eligible for an Enhanced DBS check with/without Barred Lists
  - interviews should include questions to assess a candidate's attitude toward Children/Adults at Risk and their commitment to safeguarding. Gaps in employment history or repeated changes in employment without clear reasons should also be questioned.
- Basic Checks are to be undertaken for all new staff as part of Kew's commitment to security and safeguarding.
- Any Kew staff member, who conducts fieldwork internationally, is required to have a basic DBS check before travel. RBG Kew Staff who joined the organisation after October 2013 will already have a basic DBS check on commencing their employment (January 2020 for Enterprises staff).
  - Fieldwork, as defined by Kew's Overseas Fieldwork Committee (OFC), is all research and collecting activities requiring access to field conditions, including sampling, collecting and/or removing plant or fungal material, soil or any other material in association with plants, and/or systematically recording plant, fungal or ethnobotanical data/images for conservation or other research purposes."
- Enhanced DBS checks of the appropriate level are required for all eligible staff (including staff working internationally), volunteer and contractor roles, and rechecking should be undertaken every three years. If there is a lapse in the renewal of the DBS check an Interim Risk Assessment should be implemented by the line manager, with sign off from the Head of Safeguarding and Head of HR operations.
- For roles involving contact with Children and Adults at Risk there may be eligibility for Enhanced checks with/without barred lists and reference should be made to UK [government's DBS eligibility tool](#) or the Eligibility Flow Diagrams for guidance (see Annex VIII). In all cases where eligibility is met for Enhanced with barred list(s), these checks must be undertaken.
- Managers are responsible for ensuring the relevant checks are in place for their teams. Hiring Managers complete a Request to Resource form and declare if the position is eligible for an Enhanced DBS check. Managers can refer to the Enhanced DBS eligibility flow diagrams, and where appropriate complete an Enhanced DBS request form.
- Managers should take all reasonable steps to ensure that existing staff Job Profiles and volunteer Role Descriptions are kept up to date in relation to responsibilities when working with Children and/or Adults at Risk.

#### Safeguarding code of good practice

5.2. Kew staff, volunteers, students, and contractors are required to comply with the Safeguarding Code of Good Practice. Kew will take timely and appropriate action against those who breach the Safeguarding Code of Good Practice. In serious cases, this may include disciplinary action in line with the provisions of Kew's disciplinary procedures, and/or referral to the relevant authorities for appropriate action, including criminal prosecution. Obligations to adhere to the Safeguarding Code of Good Practice must be included in all relevant contracts and agreements.

- 5.3. When working or liaising with Children and Adults at Risk, all staff, volunteers, students, or contractors should be made aware and comply with the following Safeguarding Code of Good Practice:
1. All individuals shall be treated with respect regardless of race, sex, gender expression, sexual orientation, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
  2. Threatening, abusive or sexually provocative language or Inappropriate Behaviour towards anyone is prohibited.
  3. Immediately report any allegations, suspicions, or disclosures about potential or actual Abuse or Inappropriate Behaviour to the Safeguarding department ([safeguarding@kew.org](mailto:safeguarding@kew.org)) via the safeguarding reporting procedures (see Annex IV).
  4. You should make yourself aware of local procedures relating to emergency situations, e.g., injury, danger, or cases of lost Children and Adults at Risk. If you are onsite, you should contact Constabulary (Kew Gardens, ext. 3333), or a Ranger (Wakehurst, ext. 4070) and follow Kew's Lost Child/Adult at Risk procedure (see Annex III).
  5. You must not accept any caring responsibilities for a Child or Adult at Risk, and you should minimise situations where you may be alone with Children or Adults at Risk. If it is unavoidable, you must inform another member of staff of the situation as soon as you can.
  6. Remember that interactions in-person and online can be open to misinterpretation. Avoid unnecessary physical contact, refrain from exchanging personal details contact details and do not invite Children/Adults at Risk to non-Kew activities. This includes any staff, contractors and volunteers who may be under the age of 18.
  7. Ensure that photographs, videos or other images of Children and Adults at Risk are only taken with the permission of the individual and/or their parents or carers, under Kew's standard written terms, and using relevant photo consent forms. If there are any local sensitivities, please contact [privacy@kew.org](mailto:privacy@kew.org). Images should be clearly linked to consent forms and images of Children/Adults at Risk should not be captured on personal devices.
  8. Remember that this policy and the principles within it apply at all times and online, whether on Kew Premises, or acting on behalf of Kew outside its Premises, both within the community and when overseas.
  9. Immediately disclose to your manager and HR (or Volunteer Manager, if you are a volunteer) all charges, convictions, and other outcomes of an offence, which occurred before or occur during association with Kew that relate to exploitation and Abuse of a Child or Adult at Risk.

## Education and training

Kew understands that, in order for this Safeguarding Policy to be well understood and effectively implemented, it is essential that there are high levels of awareness regarding the policy and that staff and volunteers are clear, confident, and competent in putting the policy into practice.

- 5.4. All staff, volunteers, contractors, and students shall be made fully aware of their duties to report actual or suspected Abuse, Inappropriate Behaviour or any possible breaches of the policy including the Code of Good Practice by undertaking the following levels of training. Staff/volunteers/students/contractors should undertake refresher training every two years for the Basic Awareness Training, in line with Kew's Mandatory Training policy, and every three years for all other safeguarding training. Kew will also adequately brief contractors on the policy, as appropriate.
- 5.5. **Basic Awareness Training:** All trustees, staff, volunteers, students and, where appropriate, third-party contractors should be introduced to Kew's safeguarding policy and procedures via Awareness Training. An online webinar of the training is available to all staff and volunteers via Kewnet (Kew's intranet), and all new starters are required to view this webinar as a mandatory part of their induction. There are two versions of the webinar, one for UK based staff and one for KMCC based staff. The KMCC safeguarding webinar is available in English, French, and Malagasy. Managers are responsible for ensuring their teams are familiar with the awareness training, and the Volunteer team is responsible for including safeguarding in the induction for new volunteers.
- 5.6. **Front facing training:** All staff, volunteers and contractors who have direct contact with Children and Adults at Risk as part of their roles.
- 5.7. **Managers:** All managers responsible for staff/volunteers who engage directly with Children and/or Adults at Risk, or work on public facing events.

- 5.8. **International safeguarding:** All staff/volunteers that travel internationally on behalf of Kew and interact with local communities.
- 5.9. **International safeguarding awareness videos:** Series of short films covering Kew's safeguarding policy and procedures, designed to benefit staff and partners working outside of the UK.
- 5.10. **Executive managers and DSLs:** For safeguarding leads or those with designated safeguarding roles, including HR, directors, and trustees, who have overarching responsibility for safeguarding. Safeguarding Leads and DSLs should also undertake any additional specialist training as appropriate to their roles.
- 5.11. **Social media safeguarding:** For staff that manage any official Kew social channel, forum, or group.

### Management responsibilities

- 5.12. All managers shall be responsible for ensuring staff, volunteers, students, and contractors are aware of the policy and are supported to implement and work in accordance with it. This includes raising awareness of the policy, identifying recruitment and training needs for themselves and those they are responsible for and creating a management culture that recognises the importance of safeguarding.
- 5.13. Managers should ensure safeguarding measures are put in place when hiring and working with staff, volunteers, contractors, students, and apprentices aged between 16-18. This includes students on work experience placements, for which a safeguarding risk assessment should be completed. Managers would be eligible for an Enhanced DBS check and should flag this recruitment with the Safeguarding Department.

### Safeguarding and social media

- 5.14. Whether messaging from a personal account, or an official RBG Kew social media channel, staff/volunteers should always act in accordance with the Safeguarding Code of Good Practice. If a member of the public engages with a Kew staff/volunteer/contractor online in a concerning or inappropriate way, this should be reported to the relevant social media channel directly. If the message or post is believed to relate to a Child or Adult at Risk, this should also be reported to the Safeguarding department via Kew's safeguarding reporting mechanisms (including screenshots if appropriate). Kew's social media guidelines provide advice for all staff/volunteers on how to stay safe and use social media responsibly. Staff that manage any official RBG Kew social channel or group are expected to undertake social media safeguarding training.

### Personal data and image use

- 5.15. Kew recognises its obligations to process personal data in line with data protection legislation and to safeguard information concerning members of the public, including the use of images and stories of Children and Adults at Risk. Choices of such images and messages must be made based on values of respect, equality, dignity, and fairness and in line with existing processes, obtaining consent where appropriate or necessary. Whether the image is taken in the UK or during international work, consent should be in written form.

### Responding to complaints

- 5.16. Kew is committed to responding effectively and sensitively to all allegations, suspicions, or disclosures of Abuse, both current and historical and whether involving Kew staff, volunteers, contractors or not, and has clear and accessible safeguarding reporting mechanisms (see Annex IV). Kew places a mandatory obligation on all staff, contractors, and volunteers to report concerns, suspicions, allegations, disclosures, and incidents that indicate actual or potential Abuse of Children and/or Adults at Risk, Inappropriate Behaviour, or which otherwise suggest this policy may have been breached in any way.
- 5.17. Designated Safeguarding Leads (DSLs) are responsible for responding to reports of potential safeguarding risks. The DSLs are Senior Development Manager – Major Gifts (Development), Head of Digital Experience (Digital), Head of Visitor Operations (Site – Kew Gardens), Head of Learning & Participation (Learning – Kew Gardens), Head of Public Programmes (Learning – Wakehurst), Deputy Director of Science (Operations) (Science and International), and Head of Visitor Experience & Commercial (Site – Wakehurst). Site Duty Managers are the first point of contact for safeguarding

concerns or incidents during out of hours (after 5pm GMT), on bank holidays or on weekends to ensure there are no delays in responding appropriately to safeguarding matters.

- 5.18. Managers are responsible for ensuring that the reporting procedures are followed, so that suspected cases of Abuse are reported to the Safeguarding department effectively. The Safeguarding department and DSLs shall ensure that such reports are responded to appropriately and referred to Head of Safeguarding if required, who in turn will report to the relevant authorities if required. An appropriate member of staff must be nominated to cover for the DSL in the event of their absence. Cover DSLs must be able to respond appropriately to safeguarding reports and make referrals to the Head of Safeguarding when necessary.

### **International work and safeguarding**

- 5.19. Kew's Safeguarding Policy applies internationally, and staff should act in accordance with the Code of Good Practice. Any activity involving the general public needs to be risk assessed using the International Safeguarding Risk Assessment. Staff working internationally should report any incident or concern involving Children/Adults at Risk/staff or partner behaviour to their Line Manager and Safeguarding Department. The reporting process in-country will need to be decided at a local level and may involve reporting to the relevant statutory agency and/or other organisations that can deal with the cases appropriately. Advice and guidance should be sought to ensure that Children and their families are not put at further risk or made vulnerable by the very action of reporting harm and/or Abuse.
- 5.20. Kew offers additional guidance on the practical application of the safeguarding policy for staff working at KMCC (appendix VII).

### **Ensuring contractor and partner compliance**

- 5.21 Kew requires all external contractors and partners to work in ways that are consistent with the principles and policy statements expressed herein. Relevant agreements/contracts must include reference to the safeguarding policy, and managers overseeing contractors should work with contractors and partners to secure their commitment to meeting the policy requirements, as is appropriate.
- 5.22 All inductions should, at a minimum, ensure that contractors and partners are provided with details of the safeguarding Code of Good Practice, and made aware of reporting procedures as appropriate. Additional requirements may need to be considered if the contractor or partner role involves working with Children and/or Adults at Risk. For example, Enhanced DBS checks and safeguarding training. For contractors and partners whose roles do not meet eligibility for Enhanced checks, but whose roles involve engaging with Children/Adults at Risk, or who are on site for extended periods of time, Basic DBS Checks may be undertaken, and this will be assessed on a case-by-case basis.

### **Risk management**

- 5.23 Kew operates extensive risk management processes to ensure that a wide range of risks across the organisation are effectively identified and addressed. The risk of Children and Adults at Risk being exposed to Abuse or Inappropriate Behaviour as a result of any Kew activity (through staff, volunteer or partner misconduct or poor activity design or delivery, for example) shall be further mitigated by the addition of a specific safeguarding risk assessment. Safeguarding Risk Assessments should be completed for any activity or event likely to include Children and/or Adults at Risk. There is a specific safeguarding risk assessment for activities/events taking place internationally. Managers are responsible for ensuring that Safeguarding Risk Assessments are correctly completed, reviewed as appropriate and comply with central recording procedures communicated by the Safeguarding Department.

### **Implementation, monitoring, and review**

- 5.24 The Safeguarding Oversight Committee meets twice a year and exists to oversee how safeguarding is implemented and managed at Kew including identifying and responding to any escalating organisational risks.



5.25 Safeguarding Champions are directorate and departmental representatives who support the implementation and management of safeguarding at Kew.

5.26 Kew shall review this policy every two years (unless changes to law or guidance require earlier review).

## 6. Resources

6.1 Kew undertakes to commit sufficient resources to support the implementation and ongoing monitoring of this policy and any identified improvements.

6.2 In line with the procedural framework outlined above, when working at, with, or on behalf of Kew, the following policies and procedures must be adhered to:

- a) Recruitment, selection and vetting for staff and volunteers
- b) Completion of any required safeguarding training
- c) Safeguarding Code of Good Practice
- d) Safeguarding Reporting Procedures
- e) Whistleblowing policy
- f) Anti-Slavery policy
- g) Data protection policy
- h) Filming and Photography guidelines
- i) All Health and safety policies and procedures (including the Contractor's Code of Practice, Overseas Travel Manual)

## 7. Legal background

7.1 There are many legal statutes that include provisions relating to the welfare and protection of Children and Adults at Risk. These include but are not limited to:

- Data Protection Act 2018
- Sexual Offences Act 2003
- Children's Act 2004
- The Children (Performances and Activities) (England) Regulations 2014
- Care Act 2014
- Safeguarding Vulnerable Groups Act 2006 (as amended by the Protection of Freedoms Act 2012)
- Mental Health Act 2007 (as amended from the 1983 Act)
- Modern Slavery Act 2015

7.2 There are many relevant pieces of guidance that support and guide safeguarding and best practice. These include but are not limited to:

- Relevant government guidance on safeguarding Children including Working together to safeguard Children 2018
- Multi-agency statutory guidance on female genital mutilation
- Inter-Agency Standing Committee: Protection from Sexual Exploitation and Abuse and Harassment (PSEAH)
- The Core Humanitarian Standards

Further details on key legislation in this area, and additional useful references may be found at Annex II.

## 8. Version and revisions to this policy

8.1. This policy was approved in January 2022 by RBG Kew's Board of Trustees.

8.2. Version four of this policy was approved in November 2023 by RBG Kew's Executive Board and Audit and Risk Committee.

## Annexes

### Annex I: Definitions and terms

Definitions based on the Department of Education's "Working Together to Safeguard Children" statutory guidance on inter-agency working 2018 and Care Act 2014.

**Abuse:** A form of maltreatment. Somebody may Abuse or neglect a Child or Adult at Risk by inflicting harm, or by failing to act to prevent harm. Children and Adults at Risk may be Abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g., via the internet). They may be Abused by an adult or adults, or another Child or Children and Abuse can take varying forms.

**Exploit:** To use someone or something unfairly for an individual's own advantage.

Types of Abuse and Exploitation include:

➤ **Abuse through social media**

Social media includes blogs, online gaming, discussion forums, instant messaging, and social networks such as Facebook. It can be a means of Abuse, including cyber bullying, grooming for sexual Abuse, sharing indecent images, or manipulating people to share explicit images of themselves and radicalising people's beliefs.

➤ **Coercive and controlling behaviour**

Coercive and controlling behaviour was specifically criminalised by the Serious Crime Act 2015. This is when someone manipulates or threatens someone to force them to do something they would not otherwise choose to do. Coercive and controlling behaviours might be present in many kinds of Abuse including sexual Abuse, psychological Abuse, financial Abuse, domestic violence, and modern slavery.

➤ **County lines**

As set out in the [Serious Violence Strategy](#), published by the Home Office, a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'. They are likely to exploit Children and Adults at Risk to move and store drugs and money, and they will often use coercion, intimidation, violence, and weapons.

➤ **Cuckooing**

Cuckooing is a practice where people take over a person's home and use the property to facilitate exploitation usually by drug dealers or gang members. It takes the name from cuckoos who take over the nests of other birds. Cuckooing can include the following:

- using the property to grow, deal, store or take drugs
- using the property for sex work
- using the property to store weapons
- taking over the property as a place for them to live
- taking over the property to financially Abuse the tenant.
- perpetrators usually befriend the Adult at Risk, Child or young person to gain their trust and then they may become threatening and isolate the person from their family or friends or other services that they may be accessing.

➤ **Discriminatory Abuse**

Abuse that focuses on a difference or perceived difference, such as race, gender, disability, or any protected characteristics. It can take different forms, such as direct, indirect, or harassment:

- harassment
- slurs or similar treatment because of:
  - age
  - disability
  - gender, gender identity or expression
  - neurodivergence
  - race
  - religion or belief
  - sex
  - sexual orientation

➤ **Domestic violence**

Any incident or pattern of incidents of controlling, coercive, threatening, or violent behaviour, which can be witnessed as well as received. May include:

- psychological
- physical
- sexual
- financial
- emotional Abuse
- so called 'honour' based violence

➤ **Female Genital Mutilation (FGM)**

FGM is a procedure where the female genitals are deliberately cut, injured, or changed, but where there's no medical reason for this to be done. FGM is most often carried out on Children between infancy and 15 years old.

➤ **Financial, economic, or material Abuse**

This is the mistreatment of someone in terms of their money or assets. Examples are:

- theft
- fraud
- internet scamming
- coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, or inheritance
- the misuse or misappropriation of property, possessions, or benefits

➤ **Forced marriage**

Forced marriage is when someone is coerced into marrying another person. This might be as a result of threats or other emotional, physical, and psychological pressure. It is not the same as an arranged marriage. Guidance is available through the Forced Marriage Unit on 020 7008 0151 / [fmu@fco.gov.uk](mailto:fmu@fco.gov.uk).

➤ **Mate Crime**

Mate crimes happen when people, often those with learning disabilities, are befriended by someone who uses the relationship to exploit or Abuse the person. The relationship is often long lasting and results in repeated and worsening Abuse.

➤ **Modern Slavery**

When an individual is exploited by others, for personal or commercial gain. Instances are:

- human trafficking
- bonded labour or debt bondage
- descent-based slavery
- forced labour and domestic servitude.
- traffickers and enslavers using whatever means they have at their disposal to coerce, deceive, and force individuals into a life of Abuse, servitude, and inhumane treatment

➤ **Neglect and acts of omission**

This includes ignoring medical, emotional, or physical care needs, failure to provide access to appropriate health, care and support or educational services, with withholding of the necessities of life, such as medication, adequate nutrition, and heating.

➤ **Organisational Abuse**

This includes neglect and poor care practice within an institution or specific care setting such as a hospital, or care provided in one's own home. This may range from one-off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice because of the structure, policies, processes, and practices within an organisation.

➤ **Peer -on-peer Abuse**

This form of Abuse occurs when there is any kind of physical, sexual, emotional, or financial Abuse or coercive control exercised between Children of a similar age or stage of development. It can happen between any number of Children and can affect any age group. It includes bullying, cyberbullying, sexual violence, harassment, and sexting.

### ➤ Physical Abuse

Act of deliberately hurting a Child or adult causing injuries. Examples include:

- assault
- hitting
- slapping
- pushing
- misuse of medication
- restraint
- inappropriate physical sanctions

### ➤ Psychological Abuse

Is also referred to as emotional Abuse. The abuser inflicts emotional maltreatment such as deliberately trying to scare, humiliate, isolate, or ignore a Child or adult.

- emotional abuse
- threats of harm or abandonment
- deprivation of contact
- humiliation
- blaming
- controlling
- intimidation
- coercion
- harassment
- verbal abuse
- cyber bullying
- isolation
- unreasonable and unjustified withdrawal of services or supportive networks

### ➤ Radicalisation

People with care and support needs might be at risk of radicalisation. This can take place via the internet, social networks, print media, meetings, or a person acting alone. Guidance about radicalisation can be found in the [Prevent strategy](#).

### ➤ Self-neglect

This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this without external support.

### ➤ Sexual Abuse

When someone is forced, pressured, or tricked into taking part in any kind of sexual activity with another person. It can be perpetrated online or in person and covers acts such as:

- rape
- indecent exposure
- sexual harassment
- inappropriate looking or touching
- sexual teasing or innuendo
- sexual photography
- subjection to pornography or witnessing sex acts
- indecent exposure
- sexual assault
- sexual acts to which the adult has not consented or was pressured into consenting

### ➤ Sexual exploitation

Sexual exploitation is defined as an actual or attempted Abuse of someone's position of vulnerability (such as a person depending on you for survival, food rations, schoolbooks, transport, or other services), differential power or trust, to obtain sexual favours, including but not only, by offering money or other social, economic, or political advantages. It includes trafficking and prostitution.

**Child:** A Child is any person under the age of 18. This includes Children visiting, studying, working and/or volunteering for Kew.

**Adult at Risk (also referred to as vulnerable adult):** An adult who may be vulnerable to Abuse or maltreatment is deemed to be someone aged 18 or over, who:

- i has needs for care and support
- ii is experiencing, or is at risk of, Abuse or neglect; and
- iii as a result of those needs is unable to protect themselves against the Abuse or neglect or the risk of it.

An Adult at Risk may also be those at risk of Abuse due to inequalities relating to power structures. This may be relevant to RBG Kew's international work.

**Inappropriate Behaviour** means any behaviour constituting a criminal offence, or which affects the health, safety, or welfare of any other individual.

**Regulated Activity** means:

**In relation to Children:** activities that involve certain close interaction with Children which is unsupervised\*, such as teaching, training, instructing, caring, or supervising if such work carried out once a week or more, or on four or more days in a 30-day period.

\* Supervision in this context refers to supervision of staff/volunteers and not supervision of the Children and young people. Government Guidance states that supervision must be:

- Regular and day-to-day
- Undertaken by someone in Regulated Activity themselves
- Reasonable in all circumstances to ensure the protection of Children

**In relation to Adults at Risk:** the provision of healthcare, personal care or other social care or assistance with the conduct of their affairs. Assistance need only be carried out once to be considered Regulated Activity but does not include (e.g.) assistance with finishing a meal on a one-off basis.

## Annex II: Relevant key legislation and guidance

**Care Act 2014** – this legislation introduced for the first time a legal requirement to report safeguarding concerns about adults with health and social care needs to the local authority. The local authority has a statutory responsibility under the Care Act 2014 to ‘make enquiries, or cause others to do so’ if it believes an adult:

1. has needs for care and support (whether or not the local authority is meeting any of those needs) and
2. is experiencing, or at risk of, Abuse, and
3. as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of Abuse.

**Children’s Acts 1989 and 2004** – sets out requirements for local authority care, the provision of a Children’s Commissioner and the promotion and safeguarding of Children’s welfare, whilst also recognising parental responsibility for Children.

**Criminal Justice and Court Services Act 2000** – relates to disclosure and Child protection issues.

**Department for Education Statutory Guidance: Regulated Activity (Children)** – supervision of activity with Children which is regulated activity when unsupervised. Provides guidance on the supervision by staff or volunteers of Children.

**Equality Act 2010** – harmonises the law on discrimination and equality, making it unlawful to discriminate against, harass or victimise anyone when carrying out a public function.

**HM Government Guidance on working together to safeguard Children** – also known as “A guide to inter-agency working to safeguard and promote the welfare of Children”, this summarises obligations for local authorities, healthcare, and educational organisations. However, it also applies to those in the community and voluntary sectors and sets out formal definitions of the terms Physical Abuse, Emotional Abuse, Sexual Abuse, and Neglect.

**Modern Slavery Act 2015** – gives the tools to fight modern slavery, ensure perpetrators can receive suitably severe punishments for these crimes and enhance support and protection for victims.

**Prevent Duty** – the obligation in the Counterterrorism and Security Act 2015 on specified authorities, in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism.

**Safeguarding Vulnerable Groups Act 2006** (as amended by the Protection of Freedoms Act 2012) – sets out the framework for the Disclosure and Barring Service (DBS) and makes it a criminal offence to permit anyone on the barred lists to undertake Regulated Activity relating to Children or Adults at Risk when they know, or have reason to believe, they are barred. It also includes other offences in relation to individuals seeking, offering, or engaging in Regulated Activity, or supplying individuals for Regulated Activity, from which they are barred.

**Sexual Offences Act 2003** – sets out a number of key offences including Child sex offences, Abuse of a position of trust and indecent photographs.

**The Children (Performances and Activities) (England) Regulations 2014** – sets out requirements for local authority licencing for activities involving Children (for example if involving a Child in a paid photo-shoot), which documents steps taken to safeguard the Child’s welfare, identifying a responsible person and chaperoning.

**The General Data Protection Regulation (EU) 2016/679 (GDPR)** and the **Data Protection Act 2018** – determines requirements when processing personal data from which a living individual can be identified, or special categories of personal data, such as racial or ethnic origin, health data, political, religious beliefs, or sexual orientation.

## Annex III: Lost Child/Adult at Risk procedure

If an activity is taking place offsite in the UK or internationally, a local lost Child and Adult at Risk procedure should be agreed with all staff, volunteers, and contractors, taking part in the activity, and confirmed in writing prior to the activity.

### **If you find a lost Child/Adult at Risk on site**

Reassure the Child/Adult at Risk and contact Constabulary/Rangers immediately:

- Constabulary at Kew Gardens on x 333 (020 8332 3333)
- Rangers at Wakehurst via the radio system, on the agreed channel. If you do not have a radio ring x 4107 (01444 894107)

For specific events (e.g., Christmas at Kew) you may be required to contact an event manager via your radio.

Do not take the Child/Adult at Risk away from the location where they are found, unless there is an agreed area for lost Child/Adults at Risk, for example at a specific event. Stay in a location where other people can see you – this may mean you need to move slightly.

### **If a responsible adult reports a lost Child/Adult at Risk on site**

Reassure the adult and contact Constabulary/Rangers as above. Ensure the adult stays with you until further instructions are received.

### **Provide Constabulary/Rangers with as much information as possible**

Try and avoid being overheard when giving the details, including:

- name of Child/Adult at Risk
- age
- address/name of school (if applicable)
- physical description (height, colour of hair, clothing, etc.)
- where Child/Adult at Risk was last seen
- the time the Child/Adult at Risk was last seen

**Constabulary/Rangers to circulate facts by radio/telephone** to other relevant staff, using the agreed radio channel.

### **Constabulary/Rangers are responsible for reconciling the Child/Adult at Risk with their responsible adult**

- If after 10 minutes a responsible adult is not reunited with the Child, then Constabulary/Rangers must record details on the lost Child form/log.
- If after 20 minutes a responsible adult is not reunited with the Adult at Risk, then Constabulary/Rangers must record details on the lost vulnerable adult form/log.
- If after an hour a responsible adult is not reunited with the Child/Adult at Risk, then Constabulary/Rangers will consider calling the Police.
- A safeguarding incident and concern form should be completed by Constabulary/Rangers as appropriate.

When reuniting the two parties, Constabulary/Rangers are responsible for verifying that the adult is in fact the responsible adult for the Child/Adult at Risk.

## Annex IV: Safeguarding reporting procedure

A safeguarding concern is when you are worried about the safety of a Child or Adult at Risk because of something you have witnessed, or information which has been given to you. A safeguarding concern can also involve a member of staff, volunteer, student, or contractor putting others at risk by their actions.

All completed Safeguarding Incident and Concern forms to be sent directly to [safeguarding@kew.org](mailto:safeguarding@kew.org) for initial triage.

You have a concern about a Child/Adult at Risk, the conduct of a staff member/volunteer/contractor's behaviour or witness a safeguarding incident.

**Immediately** inform your line manager/sectional coordinator or a suitable alternative and Constabulary/Rangers as appropriate. You should complete a Safeguarding Incident and Concern form (part 1) within two hours of the incident

**Within two hours**, email the Safeguarding Incident and Concern form to [safeguarding@kew.org](mailto:safeguarding@kew.org). Safeguarding Incident and Concern form must be labelled as confidential.

Safeguarding department will confidentially forward the email to the relevant DSL, who decides the appropriate action.

In consultation with any other relevant senior staff, e.g., HR, H&S, Comms

**If no action is required:**  
It is determined that the concern does not constitute a safeguarding concern, DSL to complete the receipt part of the Safeguarding Incident and Concern form.

**If it is unclear what action to take:**  
DSL to consult Head of Safeguarding or, if unavailable, Single Point of Access (SPA), NSPCC Helpline or Adult Access Team as appropriate. DSL to complete the receipt part of the form.

**The concern requires further action from external:**  
Refer to Single Point of Access (SPA)/ Adult Access Team/Emergency Duty Team as appropriate and/or inform the Police. DSL to complete the receipt part of the form.

**Follow-up:**  
The safeguarding department/DSL will complete a debrief of the incident, including reviewing any lessons learnt. Line manager to debrief with reporting individual.



## Annex V: Managing disclosures

Safeguarding is everyone's business, and it is possible that within your role at RBG Kew someone (Child, young person, or adult) will want to talk to you about Abuse that they have suffered. It may still be happening currently or could be historic and have happened in the past, but all disclosures should be dealt with in the same way.

If someone discloses to you, it is important to remember the following principles when responding to them.

1. Listen – Let the person tell their story and don't push for information. Repeat back what they have said to ensure clarity if that will help. If you need to ask a question, ensure that it isn't a closed question. Use words such as when, why, how, where within questions that don't invite a single response. Some examples of open questions are –
  - a. Would you tell me more about...?
  - b. I'd be interested in knowing...?
  - c. I'm not certain I understand, can you give me an example...?
2. Remember it's never your role to investigate, just gather information to aid those whose job it is (police/Children & adult social care)
3. Always show acceptance of what you are being told, whatever your personal opinion might be. It takes a lot of courage to disclose Abuse so the discloser will need to feel believed and treated with respect and dignity
4. Keep calm and reassure the person that they aren't to blame for what has happened to them
5. Demonstrate open and respectful body language such as giving eye contact to ensure the discloser knows you are engaged
6. Be honest and never make promises to keep what you are being told confidential. If Abuse is disclosed, you will need to report this
7. Try to involve them as much as possible in the ongoing process, let them know who needs to be told and what will happen, involving them in decisions where appropriate

Being the person on the receiving end of hearing a disclosure of Abuse can be difficult emotionally. Remember that the person making the disclosure has chosen you; possibly because they trust and/or feel safe with you. It is important that 'debrief' support is offered so that you can process the information that has been shared with you. Your line manager, DSL and/or the Safeguarding department at RBG Kew can offer this support.

## Annex VI: Incident and Concern Form

### Safeguarding Incident and Concern Form

To be completed by THE person reporting the concern. Please fill out all information known with as much factual detail as possible. Please add additional pages if necessary.

Name of person completing the form	
Role and department at Kew	
Date and time of writing this report	
Date and time of incident	
Location of incident	
Name of Child/Adult at Risk	
Age/Date of birth of Child/Adult at Risk	
Description of Child/Adult at Risk (e.g., hair colour, clothing, ethnicity etc.)	
Name of Parent/Responsible Adult	
Telephone number	
Home Address	
Description of Parent/Responsible Adult (e.g., hair colour, clothing, ethnicity)	
Has your line manager or sectional coordinator been informed? If no, why?	
If the Police/emergency services have been called as part of the incident, has the site Duty Manager been informed? If no, please explain why?	
Signature of person completing the form	

Details of the concern. Your account below should be precise, in-detail and exact.

Record the following factually:

- Who, what, where and when?
- Any witnesses?
- Any injuries?
- Have you spoken to anyone about this incident?
- Did you speak to the Child/Adult at Risk?
- Have you or anyone else spoken with the parents/carers/Responsible Adult and if so, what was said?

Send this form to [safeguarding@kew.org](mailto:safeguarding@kew.org) via email, marking it confidential.

Form to be stored by Safeguarding department in a secure location. Hard copies must be shredded.

## Receipt of Safeguarding Incident and Concern Form

To be completed by Designated Safeguarding Lead (DSL) or Head of Safeguarding.

Name of DSL/Head of Safeguarding	
Date	
Time and date incident reported	
<p>Action Taken e.g., Referral to Single Point of Access or Adult Access Team as appropriate</p> <p>Note: time, date, names, who information shared with and when, etc</p>	
If decision not to refer, then explain reason	
Have other relevant Kew departments been informed? E.G., H&S, Comms, HR	
<p>Parents or carers informed?</p> <p>Give reasons</p>	
Any other relevant information	
Signature	

Form to be stored by Safeguarding department in a secure location. Hard copies must be shredded.

## Debrief of the Incident or Concern

To be completed by a Manager, Designated Safeguarding Lead (DSL), or member of the Safeguarding department.

Name and role of individual completing debrief	
Date of debrief	
Any further follow-up following initial referral?	
Wellbeing check in completed for Child/Adult at Risk involved in incident?  Give details	
Has the reporting individual's wellbeing been checked?	
Lessons learnt?	
Date actions from the lessons learnt were implemented	
Signature	

Form to be stored by Safeguarding department in a secure location. Hard copies must be shredded.

## Annex VII: Practical policy application in Madagascar

RBG Kew acknowledges that the safeguarding context in Madagascar is different from the UK. To reflect these differences, this document covers the practical application of the Safeguarding Policy, where alterations are required. However, the overall principles remain the same with the safety and wellbeing of Children and Adults at Risk being the utmost importance.

Copies are available in French and Malagasy – any questions should be directed to the Safeguarding department.

### Safer recruitment

- DBS checks are replaced for KMCC staff with a Bulletin no.3 document from the courts, prior to commencing employment.

### Education and training

- **Basic awareness training:** All KMCC staff should watch the Madagascar Safeguarding Awareness Training, an online webinar available on Kewnet (Kew's intranet). All new starters are required to view this webinar as a mandatory part of their induction and the training should be refreshed every two years.
- **Additional training:** Supplementary training on various safeguarding topics will be organised and/or delivered by the KMCC Safeguarding and Security Officer (SSO) with the support when needed by the UK based Safeguarding Department.
- **Social media safeguarding:** Any KMCC staff that manage an official Kew social channel, forum or group should attend this training, delivered via Microsoft Teams.

### Management responsibilities

- The International Labour Organisation (ILO) states that the legal age of employment in Madagascar is 15 but under 18s cannot work over eight hours per day.
- When hiring under 18s, consent from parents/guardians/carers should be obtained and the Child's physical and psychological wellbeing considered, e.g., allowing additional breaks. In exceptional cases where parental/guardian consent cannot be gained, e.g., someone who is an orphan or living away from family members, consent can look to be obtained from a chief or community leader. Please note that it will be important in these cases to consider the issue of misuse of power and exploitation.

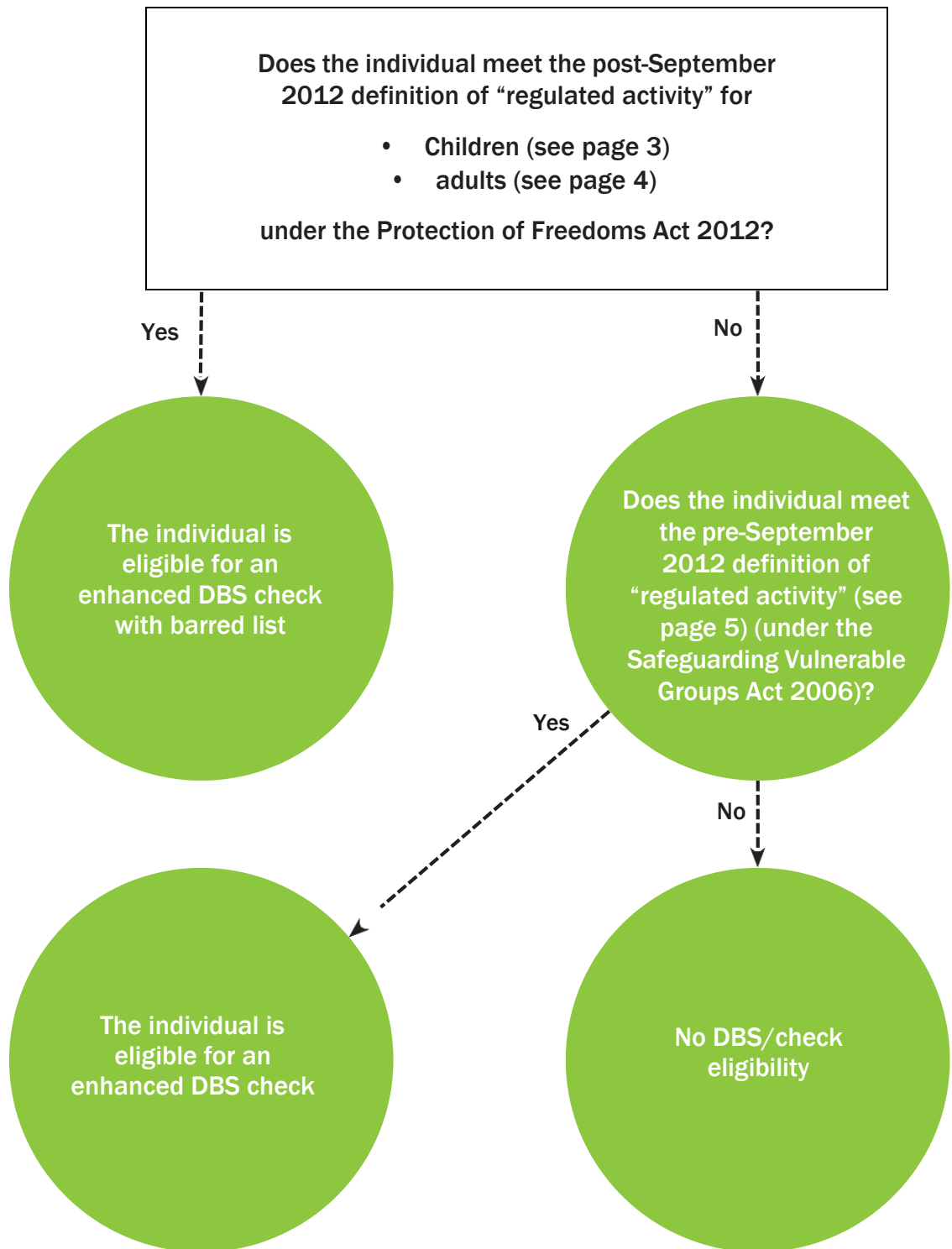
### Personal data and image use

- It is acknowledged that gaining photo consent in Madagascar can have additional complexities, compared to the UK. Kew has agreed that a local community leader or chief can sign photo consent forms on behalf of their community. Verbal consent should still be gained from the individuals themselves before taking a photo or video. Any images captured should be positive, respectful, and not undermine the individual's dignity.

### Safeguarding reporting procedure

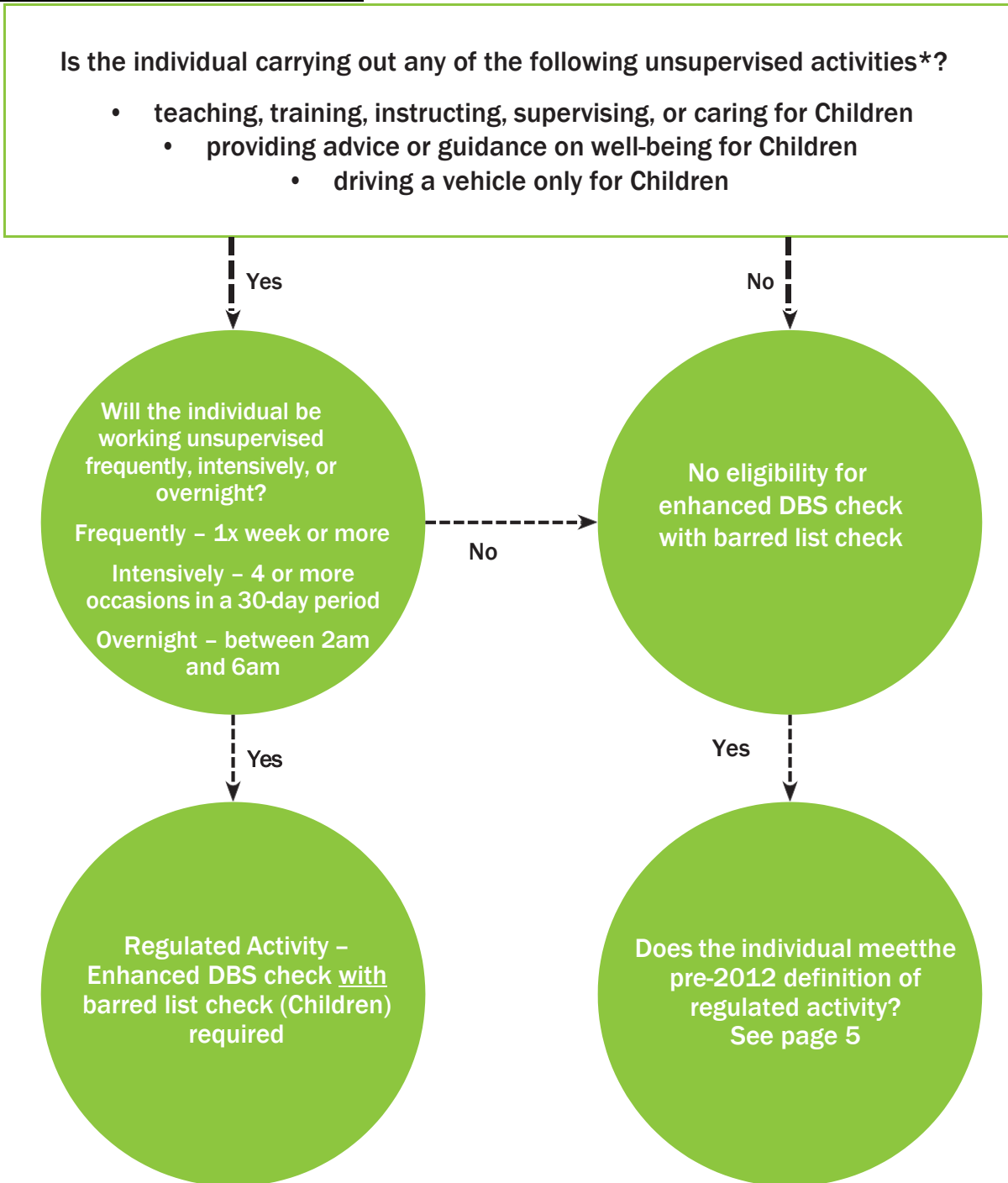
- Safeguarding incidents, identified through our work in Madagascar, need to be reported in line with Kew's Safeguarding Policy. Staff are encouraged to complete the form in the language most comfortable to them. If written completion presents as a challenge, a meeting can be arranged between the reporter and the Safeguarding department who will take a verbal account of the identified incident.
- It is acknowledged that a two-hour reporting timeframe is not always realistic, due to power cuts, lack of signal and internet availability. It is asked that the Safeguarding department is notified as soon as is practically possible. This could be through an email notification, rather than the full form being submitted.
- WhatsApp, which is widely used in Madagascar as an official communication tool, can be used to notify the SSO of an incident but specific or confidential information should not be shared.
- The Designated Safeguarding Lead is Deputy Director of Science (Operations) and the SSO is based at KMCC to offer in-country support and advice.

Annex VIII: Enhanced DBS eligibility flowcharts



**Regulated activity – Children post-2012**

Under the Protection of Freedoms Act 2012



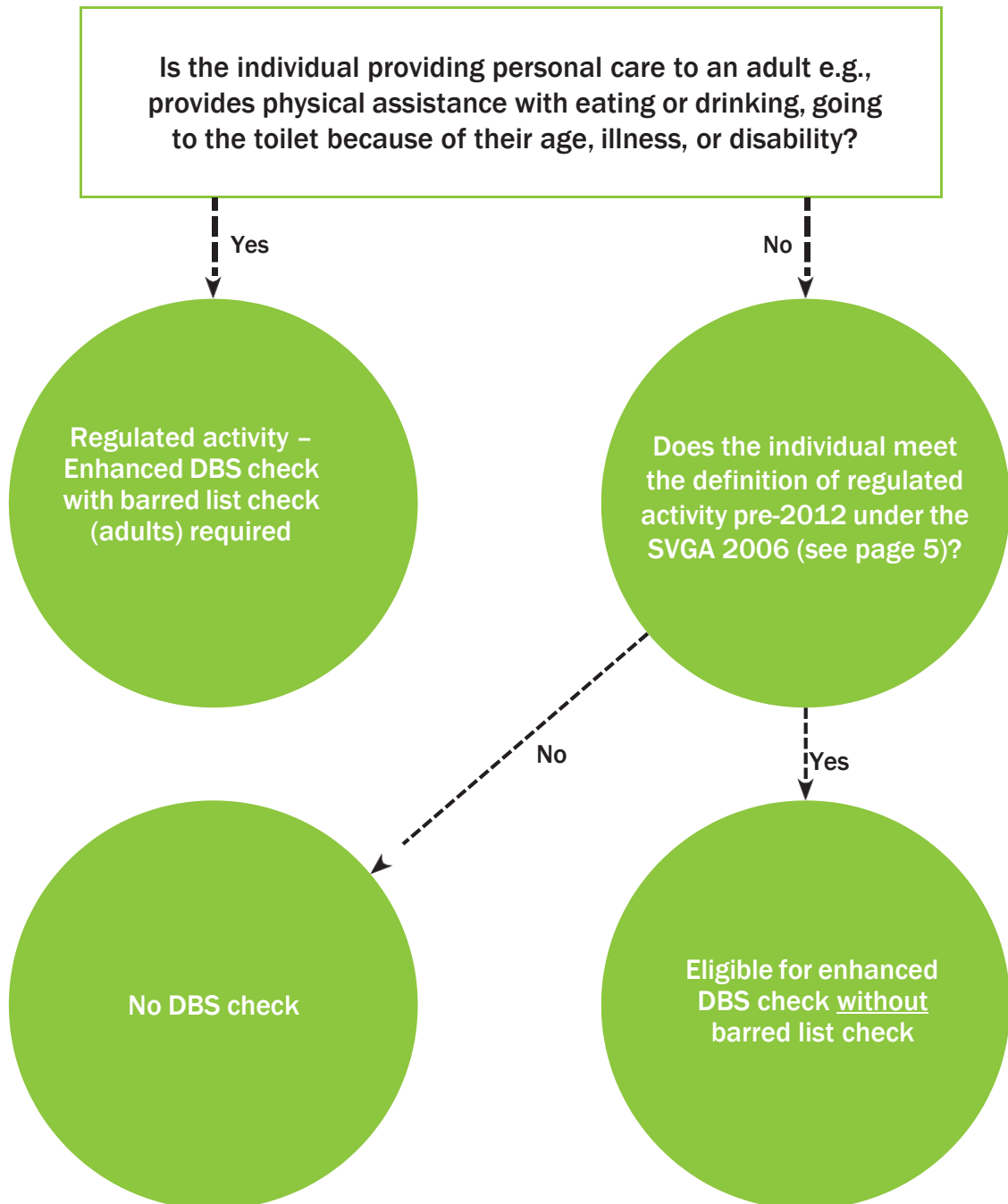
NB \* Supervision refers to a member of staff/volunteer/contractor being supervised by someone with an Enhanced DBS check with barred list check. If an individual is supervised carrying out activities above (in accordance with DFE guidance) then they are not in regulated activity but remain eligible for enhanced DBS check without barred list.



### Regulated activity – adults post-2012

#### Under the Protection of Freedoms Act 2012

Regulated activity relating to adults under the Protection of Freedoms Act 2012 identifies activities which, if any adult requires them, lead to that adult being considered vulnerable at that particular time. There is not a requirement to carry out an activity a certain number of times before it is considered to be a “regulated activity”.



### Regulated activity – Children/adults pre-2012

Under the Safeguarding Vulnerable Groups Act 2006

