



## Working with Children and Vulnerable Adults Policy

### Introduction:

The activities carried out by Macmillan Cancer Support, including those carried out by the Fundraising Directorate, mean that there are a range of employees and volunteers who come in to contact with people who are at risk of harm, including children and adults who are deemed vulnerable by legislation, due to health or circumstances. The contact may happen in different ways, for example face to face, on the telephone, or online.

Macmillan is committed to safeguarding the well-being of all donors, supporters, service users, employees and volunteers who are involved in or affected by our work. All children and adults, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have the right to equal protection from all types of harm or abuse, and the right to be treated with respect and dignity.

All employees and volunteers have a duty to prevent the abuse of children and adults and report any safeguarding concerns to the relevant person or authority.

Macmillan has a full and comprehensive [Safeguarding Policy](#) that sets out our approach to removing, reducing and managing risks; included in this policy is the agreed action that staff and volunteers are required to take to follow best practice in dealing with Safeguarding concerns. This policy applies to all staff and volunteers who work, or have contact, with children or vulnerable people whether on Macmillan premises or acting on behalf of Macmillan. Responsibility for implementing this policy lies with individuals, managers, and the Safeguarding Team.

### Definitions

#### Child:

England, Wales, Northern Ireland and Scotland each have their own guidance for organisations working with children. Each country has agreed the UNICEF definition that a child is anyone under the age of 18. However, there are a number of different laws across the UK that specify age limits in different circumstances. Further detail on these can be found [here](#).

#### Vulnerable adult:

When we refer to 'vulnerable adults', we are referring to any individual aged 18+ who may be in a vulnerable circumstance or require additional care or support at any particular time in their lives.

It is worth considering that many adults who may have led fully independent lives may become vulnerable as a consequence of their cancer diagnosis and/ or treatment.

#### Safeguarding:

Safeguarding can include any work or activity which aims to support individuals to retain independence, well-being and choice, while able to live a life that is free from abuse or neglect.

Our aim is to safeguard any child or vulnerable adult connected to Macmillan from all forms of abuse or neglect. These include, but are not limited to:

- Suicide/ suicidal intent
- Self neglect, including hoarding
- Self harm
- Domestic violence
- Modern slavery
- Neglect (deliberate or unintentional), and
- Sexual, physical, emotional, financial or organisational abuse

### **Fundraising with Children and Vulnerable Adults:**

**We are allowed to engage with children and vulnerable adults for fundraising purposes, but we MUST ensure that:**

- **We are allocating appropriate roles**
- **We have relevant permissions, in writing, properly stored**
- **We take the relevant precautions**

**Before undertaking any new work with children or vulnerable adults, we must carry out reasonable levels of checks and research, and get a project plan detailing the precautions/ extra steps you plan to take signed off by a senior member of your department, and a member of the Safeguarding team.**

### **Age Limits and Permissions:**

The age at which children may engage in fundraising activities varies by type of activity, geographic location and law. When organising fundraising activities, Macmillan will always abide by any relevant age limits imposed by legislation related to that particular event.

*Should you require any additional detail for any of the below, or for any other specific area of fundraising, please check directly with the [Institute of Fundraising](#), or the [Safeguarding Team](#)*

There are some activities which cannot be undertaken by children and young people without adult involvement (the age restriction depends on the activity and location). These include:

- Street and house to house collections
- Raffles and gaming
- An event involving alcohol

The minimum age of collectors varies depending on the type of collection and geographical area:

- Static collection box collectors must be 16 years of age or over
- For licensed lotteries, children under 16 cannot sell tickets
- Children under 16 cannot count collected money

### **England & Wales**

- For public collections (on the street or house to house), age restrictions can vary with each local authority – check whether it is 16 or 18 in your area

- For some collections (e.g. where money is collected from members of a club or society), collectors of 14 years of age or older may be eligible.

#### **Within the London Metropolitan Police District**

- Public collectors must be 16 or over, unless the collection is in connection with a procession. If the collection is in connection to a procession, collectors may be 14 or older as long as they are accompanied by a responsible adult.

#### **Scotland**

- For house to house collections, collectors must be 16 or over
- For street collections, collectors must be 14 or over

There are no restrictions with regards to younger children accompanying adults who act as the collectors. However, no fundraising activity can be undertaken by anyone under 18, unless accompanied by an adult.

If children are required to collect money, e.g. in the form of sponsorship for an event, instructions ought to state that they should be accompanied by an adult at all times.

Macmillan will only make contact with children in or near school premises with the full, written permission of the Head Teacher (or a member of school staff designated by the Head Teacher and according to procedures agreed with them).

Macmillan will not solicit regular donations, such as Direct Debits, from under 18s or from vulnerable adults.

#### Telephone and Door to Door Fundraising

Macmillan employs several agencies to fundraise on their behalf, via telephone and door to door. Macmillan will ensure that any agencies working on their behalf will adhere to the following minimum standards, in relation to fundraising with children and vulnerable adults.

An agent will politely end the call/ close the face to face conversation, and retire the record so the person doesn't get approached again, if:

- A supporter gives indication, direct or otherwise, or appears to be under 18 years of age
- A supporter is suspected to be in a vulnerable situation or not able to make financial decisions
- A supporter indicates that they have a learning disability/ mental illness
- A supporter has difficulty talking or communicating
- A supporter becomes distressed due to personal reasons (i.e. bereavement)
- A third party advised that the named contact is unable to take the call/ speak face to face due to mental health issues or mobility/ health problems

## Data collection and storage

Macmillan MUST get explicit, written parent/ guardian consent to collect data until children have capacity to give fully informed consent themselves. By law, there is no definitive age at which a child is deemed to have capacity; the context in which data is being collected/ used should be taken in to account when deciding whether to gain parent/ guardian permission. Best practice would recommend 14 as a minimum age. If you believe a child or adult to be particularly vulnerable then you must never ask them to supply any details. It is recognised that in many cases it is difficult to judge whether a child has capability or not, so it is best practice, if unsure, to obtain parent/ guardian's permission.

Any information collected from those under 14 years of age should not be disclosed without consent from a parent or guardian.

Macmillan will only take and publish photographs of children after gaining a parent or guardian's permission.

It is vital that you make clear why you are collecting the children's details and give them the opportunity to opt-out of communications.

You are not allowed to offer a reward or incentive to providing information.

You are not allowed to ask a child to disclose information about other people.

Requirements for collecting email addresses are stricter in the sense that a specific opt-in is required to send emails.

## **MSL and MISS**

Whilst MSL and MISS services were not set up specifically to support children, it is quite possible that children of any age may contact either service in the same way an adult would. Parental consent is NOT needed to offer support or advice to children of any age, although if a child is suspected (looks/ sounds/ behaves) to be under 13, it would be best practice to ask whether a parent or guardian can be spoken to; should a parent/ guardian not be available, or should the child not want you to, it's fine to continue without permission.

For all activities across Macmillan, where children are involved, the following should be adhered to:

- Treat all children with respect and take their concern(s) seriously
- Show understanding and sensitivity when dealing with their issue (s)
- Clearly state from the beginning of any interaction that confidentiality is NOT guaranteed, and explain what this means if necessary
- Signpost to child/ young person – appropriate organisations

## Recruitment, disclosure checks and regulated work:

The law in England, Wales, Scotland and Northern Ireland makes it clear that criminal background checks can be used as part of recruiting paid staff and volunteers under certain circumstances. However, it also makes it clear that, outside of these specific circumstances, requesting a criminal background check is both unlawful and unethical. The overwhelming majority of both paid and voluntary roles within Macmillan are not subject to any form of check.

A quick guide as to whether a role is eligible for a criminal record check can be found [here](#).

Further details on recruitment, disclosure checks and regulated work can be found in Macmillan's full [Safeguarding Policy](#).

If you are in any doubt as to whether a role requires a criminal record background check, please contact the [Safeguarding Team](#).

## Dealing with suspicions or allegations of abuse:

If you suspect abuse has or is about to take place or someone tells you about an issue related to child protection or safeguarding of children and/ or vulnerable adults (even if it does not involve a Macmillan employee or volunteer), the following procedure should be used:

- Stay calm and give the person time to say what they want to say.
- Do not ask questions or seek clarification; to do so could impede a legal enquiry
- Do not make assumptions, paraphrase, offer alternative explanations or promise confidentiality.
- Reassure and explain to the person that they have done the right thing in telling someone and explain that only those people who need to know will be informed.
- Record in writing everything that was said as accurately as possible, in the person's own words, as soon as reasonably practicable. Sign, date and timestamp your notes.
- Any notes should be immediately shared with Macmillan's Safeguarding Team;
- Any suspicion that a vulnerable person has been or is going to be abused should be reported to a member of the Safeguarding Team who will take such steps as they consider necessary to ensure the safety of the vulnerable person and any other vulnerable person who may be at risk. Remember, should you feel emergency services need to be called (999), always do this as a priority. The Safeguarding Team can be called after, at a time that's more convenient.
- The Safeguarding Team will refer the allegation to Social Services or the Police.
- If an adult connected to Macmillan is the subject of the suspicion/allegation, the [Whistleblowing Policy](#) must be followed.

If you think that there is a significant risk of harm/incident or there has been an accident or incident, please contact the Safeguarding Team on [safeguarding@macmillan.org.uk](mailto:safeguarding@macmillan.org.uk). If you need an urgent response please call the emergency Safeguarding Team number(s) **07595 002022 / 07793 579375** (7 days a week).