

SAFEGUARDING POLICY

1. Introduction

This policy outlines our commitment to safeguarding and promoting the welfare of care leavers who are mentored by registered solicitors and barristers matched through Lawyers who Care (“LWC”) and those with Care Experience who are otherwise involved with the organisation (see Section 10).

LWC is a Charity whose aim is to promote and support Care Experienced young people with an aspiration to work in, or study Law.

LWC will only work with adults but do recognise that Care Leavers and those with Care Experience are a vulnerable group and will take all steps to follow best practice in safeguarding those who use the service.

For the purpose of this document we recognise that Care Experience and being a Care Leaver (as defined by the Children (Leaving Care) Act 2000) are different and for the purposes of this Policy when we refer to the “Care Experienced” community we mean people who have been in foster care (including kinship care) or a residential care placement provided by their local authority during their childhood, or who have been adopted as children.

This policy applies for duration a mentee is engaged in the mentoring programme and for those otherwise involved (e.g. Volunteers) for duration of that involvement.

In respect of LWC employees, Trustees, Advisory Board members and other volunteers the provisions of this Policy apply (unless indicated) as if they were Mentors in respect of all Care Experienced people involved with LWC.

2. Ethos and Aims

Lawyers Who Care provides a service to assist the Care Experienced community. Our ethos is that the legal profession is a difficult profession to enter and navigate and that other people who do enter it, usually do so with the help of their parents and family members.

People with Care Experience, but specifically Care Leavers, are underrepresented in legal professions but our belief is that they also have significant life experiences and values that

they could contribute to the profession. Studying law can lead to a multitude of employment opportunities which will enhance Care Experienced people's outcomes.

LWC want to help those with Care Experience achieve their full potential and are committed to:

- Raising the profile of the Care Experienced community within the legal profession
- Identifying and enabling mentors within the legal profession
- Providing high quality training to mentors to help them understand the Care Experienced community and the life experiences many have had
- Matching mentors to Care Experienced people to support their journey
- Create and promote opportunities for Care Experienced legal professionals and students
- Providing events and community support for care-experienced people (see Section 11 'Events')

3. Definitions

Unless otherwise defined in the document the following definitions will apply:

Advisory Board Member: a member of LWC's Advisory Board

Mentee: an aspiring lawyer accepted on to a Mentorship Programme

Mentor: a legally qualified person matched to a Mentee in the Mentorship Programme.

Steering Committee: a committee of LWC formed of Care Experienced volunteers.

Trustee: a trustee of LWC

Volunteer: someone who gives their time without charge to support the work of LWC whether in a specific role or more generally.

4. Key Measures

To achieve our aims and to safeguard those involved we will:

- For the present time only operate in England and Wales, with Care Experienced people aged 18 and over

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- Only consider matching Care Experienced people with mentors who are qualified and regulated Solicitors (Solicitors Regulation Authority) and Barristers (Bar Standards Board). This ensures that all mentors are “of good character” with appropriate criminal records checks and up to date registrations.
- If a potential mentor is registered and regulated by the Chartered Institute of Legal Executives (CILEX) then it may be necessary to for the mentor to provide LWC with an up-to-date copy of a basic Disclosure and Barring Services Certificate.
- Require mentors to use professional/work email addresses for correspondence
- Reserve the right to refuse and/or terminate mentorship arrangements where necessary, in accordance with Section 4 below
- Require that mentors inform LWC of any impending prosecutions, investigations or sanctions made by their respective regulators (excluding fixed penalty notices).
- Undertake random audits of the mentor's respective regulator’s registers to check compliance in respect of the above.
- Require volunteers (including Trustees, members of the Advisory Board and Steering Committee) disclose details of any prosecutions, impending prosecutions, investigations or sanctions made by their respective regulators (excluding fixed penalty notices).
- Adopt safeguarding practices throughout the mentoring process by:
 - Facilitating training for all employees and volunteers that work with our mentees;
 - Ensuring vulnerable adults safeguarding training is undertaken by mentors prior to matching them with their mentee; and
 - Providing refresher briefings periodically.
- Put in place measures to manage allegations and complaints, together with a whistleblowing procedure in the event LWC employees and/or volunteers have concerns about colleagues.

5. Right to Refuse

In the event of any safeguarding concerns we reserve the right to refuse mentorship if we deem it is necessary. We also reserve the right to terminate mentoring relationships at any stage after they have begun. In these circumstances this decision will be communicated to all involved in writing.

6. Training for Mentors

Given the remit of LWC, all mentors understand the approach to Safeguarding Adults (as set out in the ten bullet points below) in addition to a trauma informed understanding of the care system.

All mentors must complete safeguarding training prior to being matched with a mentee (or every two years if role continues beyond a single mentee match) and will be expected to understand the signs of harm/abuse.

Mentors will be able to identify the 10 main categories of abuse:

1. Physical
2. Sexual
3. Psychological or Emotional
4. Financial or Material
5. Discriminatory
6. Neglect and acts of omission
7. Organisational or Institutional
8. Domestic Abuse
9. Modern Slavery
10. Self-Neglect

They will also be made aware of sub-categories of abuse such as Radicalisation, Cyber-crime and Coercion etc.

7. Designated Safeguarding Lead

The Designated Safeguarding Lead is **Jonny Hoyle** who can be contacted at safeguarding@lawyerswhocare.org.

The Designated Safeguarding Lead will take overall responsibility for safeguarding in addition to ensuring that the safeguarding policy is updated and remains compliant with legislation.

8. Reporting concerns

The boundaries for mentor/mentee relationships will be set out in a signed agreement at the commencement of the arrangement.

Mentoring meetings between mentors and mentees are private and the content of those meetings should remain confidential in all circumstances except those occasions where professional responsibilities conflict with this, such as the prevention and detection of crime and the raising of safeguarding concerns.

Mentors are also bound by their own professional rules of conduct as outlined by the SRA, BSB and CILEX and these apply at all times in their role as a mentor.

If a mentor feels that a mentee is at immediate risk of significant harm, they will contact the emergency service that can best help by calling 999.

Mentors are expected to contact the police if they have information about the prevention or detection of crime.

Where there are concerns that a mentee is suffering or is likely to suffer significant harm and where there is consent of the mentee concerned mentors will be expected to report their concerns to the Designated Safeguarding Lead. This should be done in writing within 24 hours.

Where the mentee doesn't consent, see section 9 'Disclosure'.

The Designated Safeguarding Lead will collate information about the concern and will offer advice to the mentor about what next steps might be needed. Some processes will be geographically different and LWC will signpost mentors to the local safeguarding board of the mentee.

The Designated Safeguarding Lead will make all decisions in respect of whether or not to make referrals to partner agencies and services. The Designated Safeguarding Lead may take advice from the Advisory Board, Local Authority Designated Officer (LADO) or specialist services before making their decision.

The role of LWC and the Designated Safeguarding Lead is not to investigate safeguarding concerns, but to recognise and refer to appropriate services when they arise.

9. Disclosures

It takes courage and trust to disclose difficult things. Through training and guidance we expect that our Mentors are equipped with the right tools to manage these situations sensitively.

Mentors will be expected to utilise similar skills to those they use in their substantive role but especially will be expected to:

- Listen carefully whilst remaining calm

- Make clear that they are acknowledging the things the mentee is telling them, demonstrating active listening skills through their body language and dialogue
- Not ask leading questions or offer personal judgements about a situation/relationship
- Not make promises they cannot keep
- Not judge a mentee for the timing of their disclosure by saying things like “I wish you’d told me sooner” or “why haven’t you told anybody”
- Have a conversation with the mentee about what they would like the mentor to do with the information, who the people in their support network are and where immediate or further safeguarding steps need to be taken, explain what those steps are. This might include explaining that the mentor needs further advice and will need to speak to others in confidence.

As soon as possible after any such situation, the mentor is expected to record their interaction in as much detail as possible including a clear indication of facts/opinions and including their contribution to the conversation. This record will help the Designated Safeguarding Lead consider the most appropriate next steps.

Appendix 1 sets out a form for recording/reporting safeguarding concerns to the Designated Safeguarding Lead. This information could be used as part of an investigation and should be factual, accurate, clear, timely and kept secure.

Given that LWC will only work with adults, it might be that an adult refuses for intervention to support them with a safeguarding concern. They might request that their information is not shared with the Designated Safeguarding Lead and other safeguarding partners and in these circumstances their wishes should be respected.

However, in certain circumstances those wishes should be overridden.

Examples of when this might be the right course of action could include:

- Where the person lacks mental capacity to make that decision
- Other people are, or may be, at risk, including children
- Sharing the information could prevent a crime
- A serious crime has been committed
- Volunteers and Employees of LWC are implicated
- The person has mental capacity but may be under duress or being coerced
- The risk is unreasonably high and meets the criteria for a multi-agency risk assessment conference and referral
- A court order or other legal authority has requested the information

If the mentee does not give consent for the information to be shared the mentor should:

- Support the person to weigh up the level of risks and benefits of different options available to them
- Agree on, and record, the level of risk the mentee is taking
- Record the reasons they are not sharing the information
- Regularly review the situation
- Continue to try to persuade the mentee to take steps to better protect themselves

If the mentor or LWC are unsure about whether or not they should share the information without consent they can seek advice from the Designated Safeguarding Lead, the police or local safeguarding partners about the situation without revealing the person's identity.

10. Application of Policy to other Care Experienced People and non-Mentors

The LWC Steering Committee and some Volunteers are Care Experienced individuals, who also require protection as vulnerable adults.

Where relevant, the provisions of this safeguarding policy apply equally to those groups , for example:

- The role of the Designated Safeguarding Lead relates to Steering Committee members as well as mentees.
- We reserve the right to refuse membership of the Steering Committee or a role as a Volunteer if there are safeguarding concerns. We also reserve the right to terminate membership of the Steering Committee or a role as a Volunteer at any stage after an individual has joined. In these circumstances this decision and the reasons for it will be communicated to the individual in writing.

11. Events

In order to fulfil our safeguarding responsibilities at events, we will:

- Ensure LWC employees and volunteers are identifiable to guests, whether through name badges or some other means
- Make it clear whether events are private (only open to LWC invited guests or individuals who have booked tickets through LWC's event management system eg Eventbrite) or public events where other members of the public may be present
- Consider whether or not alcohol should be made available

- If photography or filming is taking place, ensure guests are made aware and have the opportunity not to be photographed/filmed
- If it is agreed that guests may bring children with them, we will communicate that the adult guest is responsible for those children and must supervise them at all times

12. Safer Recruitment

It is important to note the distinction between LWC employees and mentors matched through the LWC process.

LWC will take all reasonable steps to ensure that its employees and volunteers who come into contact with mentees and Steering Committee members are safe people to work with the Care Experienced community.

LWC will recruit employees using safer recruitment guidelines. Currently LWC adopts the Guidelines prepared by Gloucestershire Safeguarding Adults Board [[safer-recruitment-best-practice-guidance-dec-23.pdf](#)]. This will include being confident that employees' are of good character and have the skills required to perform their role.

Volunteers who have sole contact with mentees and Steering Committee members and who are not regulated by one of the legal regulators will have an up to date DSB check.

LWC will not ordinarily undertake Disclosure and Barring checks, except in respect of employees. Mentors will either be Solicitors or Barristers and are registered with their regulatory body who do undertake these checks. Where a Mentor is a CILEX Lawyer it may be necessary for them to provide a DBS Certificate to LWC.

LWC will only match Solicitors, Barristers and CILEX Lawyers who are currently registered with their professional bodies. Mentors will be required to make LWC aware of any investigations, fitness to practice issues, pending prosecutions or disciplinary issues arising from their substantive role whilst registered with LWC.

To help mentees with an offending history access advice about the admissions process to their chosen regulatory body and to manage wider Safeguarding obligations, we ask mentees during the application process to disclose their offending history.

If a person discloses an offending history, and in respect of Safeguarding, a risk assessment process will take place to capture the nature of the offence/s, significance of the offence, time elapsed since the offence/s and likelihood of reoffending. LWC reserves the right to impose specific restrictions on mentors or mentees in light of this risk assessment. This could include not being invited onto the mentorship programme.

As described above, mentors are required to disclose any pending prosecutions and, in the event, a disclosure is made the risk assessment process described above will be carried out.

13. Creating the right environment for everyone's safety

There is a power imbalance inherent in any mentor/mentee relationship and this can lead to difficult situations and feelings.

To ensure the emotional and physical safety of everyone there is a clear mentor/mentee agreement where expectations are clearly defined.

These include the mentor using their professional judgement about a situation.

Ordinarily, LWC would expect meetings to take place at a mentor's place of work or a suitable environment to facilitate good, private discussions between the mentor and mentee.

Due to the nature of the work, this might not always be possible and the mentor and mentee should discuss situations where meeting at a coffee shop, library or similar might be appropriate or attending a network event together might be beneficial for the mentee.

A mentor must not invite a mentee to stay overnight at their home or offer to share a hotel room or similar.

The mentor must, at all times, ensure that they remain aware of the power imbalance of the relationship and must maintain their professionalism at all times. However it is recognised that a mentor or a mentor organisation may wish to support a mentee, for example covering the cost of travel and accommodation at events. Guidance on what

is appropriate is set out in a separate policy document: Additional Support to Mentees from Mentors/Mentor Organisations.

If the mentor or mentee is unsure whether a situation is satisfactory/reasonable they should contact LWC for further guidance.

LWC are committed to maintaining the high quality of the mentoring arrangements. Should anyone be unhappy or wish to make a complaint on any aspect of the matching service or the conduct of the mentor/mentee or any other aspect of LWC's services, they should follow the relevant section of the LWC Complaints Policy: [LWC Complaints Policy.docx](#)

Appendix 1 - Safeguarding Adults Report Form

Section 1 – Details of adult (you have concerns about)	
Name of adult	
Address	
Date of Birth/ Age	
Contact number	
Emergency contact if known	
Consent to share information with emergency contact?	
Section 2 – Details of the person completing this form/ Your details	
Name	
Contact phone number(s)	
Email address	
Line manager or alternative contact	
Name of organisation	
Your Role in organisation	

Section 3 – Details of concern	
Please explain why you are concerned. Please give details about what you have seen/been told/other that makes you believe the adult is at risk of harm or is being abused or neglected (include dates/times/evidence from records/photos etc.)	
Date/ Time	What happened
Section 5 – Details of the person thought to be causing harm (if known)	
Name	
Address	
Date of Birth/Age	
Relationship/connection to adult	
Role in organisation	
Do they have contact with other adults at risk in another capacity? E.g. in their work/family/as a volunteer	
Section 6 - Have you discussed your concerns with the adult? What are their views?	

What have they stated about what they want to happen and what outcomes they want?	
Section 6A – Reasons for not discussing with the adult	
Discussion would put the adult or others at risk. Please explain:	
Adult appears to lack mental capacity. Please explain:	
Adult unable to communicate their views. Please explain:	
Section 7 – Risk to others	
Are any other adults at risk Yes/No/Not known – delete as appropriate	
If yes please fill in another form answering questions 1-6	

<p>Are any children at risk Yes/No/Not known Delete as appropriate</p> <p>If yes please obtain and complete a safeguarding children referral form and attach to this.</p>	
<p>Section 8 – What action have you taken if any /agreed with the adult to reduce the risks?</p>	
<p>Section 9: Other agencies contacted</p>	
	<p>Who contacted/reference number/contact details/advice gained/action being taken</p>
<p>Police</p>	
<p>Ambulance</p>	
<p>Other – please state who and why:</p>	
<p>Section 10: Contact with others</p>	

Who else has been informed of this issue? – and what was the reason for information sharing	
Consultation with Safeguarding Lead	Dates and times
Completed Form copied to Safeguarding Lead; Date and time	
Signed:	
Date:	

OFFICE USE ONLY
Section 11 – Sharing the concerns (To be completed by Safeguarding Lead)
Details of your contact with the adult at risk of harm. Have they consented to information being shared outside of LWC?
Details of contact with the Local Authority Safeguarding Team/MASH where the adult at risk of harm lives – advice can be still sought without giving personal details if you do not have consent for a referral.
Details of any other agencies contacted:



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Details of the outcome of this concern: