



STAFF POLICY

Safeguarding and Promoting the Welfare of Children and Vulnerable Adults - Franchises

Lead responsibility:	Vice Principal Curriculum and Learner Experience
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1. Policy Statement

The College is committed to ensuring that all Franchise partners are committed to safeguarding and promoting the welfare of the learners. We are committed to ensuring that franchise learners are able to access premises and facilities free from fear of harm and are protected from mistreatment and abuse.

All Franchise partners are required to demonstrate high standards in their management of risk and in the active protection of children and vulnerable adults from discrimination and avoidable harm by fulfilling their duties for learners under 18 in accordance with *Safeguarding Children in Education*, DfES 2004 and their duties to vulnerable adults in accordance with *the National Framework of Standards for Safeguarding Adults*, ADSS 2005.

All complaints, allegations or suspicions of abuse will be dealt with due regard to the Safeguarding Children and Vulnerable Adults Policy for Franchises.

2. Purpose

The protection of children and the safeguarding of vulnerable adults are concerned with preventing emotional, physical or sexual abuse to learners whether that abuse is happening inside or outside a Centre. This Policy sets out what the Franchise Partners are committed to do with regards to safeguarding children and vulnerable adults. It is a contractual requirement for all Franchise Partners that this policy is adhered to.

This procedure seeks to promote the welfare of children and vulnerable adults by making clear the responsibilities of Franchise staff and the responsibilities of the Partnership and Contract Compliance Manager.

3. Scope

All Franchises and companies wholly owned by the college have a duty to comply with this Policy.

3.1 This Safeguarding and Promoting the Welfare of Children and Vulnerable Adults Policy covers:

- Learners aged 14, 15, 16 and 17.
- Learners who are eighteen years of age and over, and who either permanently or temporarily may be in need of community care services by reasons of mental or other disability, age or illness and who are unable to take care of themselves, or protect themselves against significant harm or exploitation.

3.2 All Franchises and companies wholly owned by the college must put into place the role of Designated Officer as described in this procedure. In some small centres the Designated Officer role may be undertaken by the Centre Manager.

4. Safeguarding and Protection Procedures

4.1 Members of Centre Staff and Disclosures of Abuse or Safeguarding Concerns by Learners

A learner may disclose abuse or fear of abuse or a safeguarding cause for concern to any member of staff at any time. When this happens, they must follow the procedure set out below.

- 4.1.1 If a child/vulnerable adult learner say they have been abused or at risk due to a safeguarding concern report this as soon as possible, and within 24 hours to the designated member of staff with responsibility for Safeguarding using the form attached in Appendix 3.
- 4.1.2 When a learner discloses abuse or a safeguarding cause for concern, talk to the learner with tact and sympathy. The learner has a right to expect their situation to be dealt with sensitively and sympathetically. For guidance on types of abuse, please see Appendix 1.
- 4.1.3 Do not offer confidentiality. Make the child/vulnerable adult learner aware as early as possible that you will need to contact the Designated Officer. Reassure them that only those who 'need to know' will be given the information. For guidance on how to conduct the conversation with the learner please see Appendix 2.
- 4.1.4 Do not ask the learner to make a written statement.
- 4.1.5 Make a full written record as soon as possible, including date, time, location of incident, full factual details of the cause for concern or disclosure from the learner and the action you have taken (using the form in Appendix 3) and inform the Designated Officer.
- 4.1.6 A learner may disclose to you that another learner or other learners are being abused or that they have been abusing someone. In both cases, points 4.1.1 to 4.1.5 apply and the form attached as Appendix 3 must be filled in as instructed on the form.

4.2 Suspected abuse or safeguarding concern not disclosed by a learner

The college recognises that children, young people and vulnerable adults cannot be expected to raise concerns in an environment where staff fail to do so.

If you have suspicions that a learner is being abused or is at risk due to a safeguarding issue but they are keeping it to themselves, do not hesitate to disclose your suspicion to the Designated Officer using the form in Appendix 3.

4.3 The Designated Officer and Disclosures of Abuse or Safeguarding Cause for Concern

- 4.3.1 On receiving a completed form (Appendix 3) reporting alleged abuse or safeguarding cause for concern the designated member of staff will decide, in consultation with the Centre Manager, whether to report the matter to the local Social Services Department, the Duty Social Worker

or the Police. For learners who are able to make choices and decisions, information must not be passed on to external authorities unless the learner agrees or unless the Designated Officer is satisfied that there is a serious risk of harm to self or others. Social Services or the Police will conduct an investigation.

- 4.3.2 The Designated Officer will discuss with the Social Services Department or the Police what action will be taken to inform the parents/guardian/carer of the learner and a note of that conversation will be made, together with confirmation of any steps the college has agreed to take regarding interviews or retaining control until the appropriate person arrives.
- 4.3.3 A written record of the date and time of the report will be made and the report will include the name and position of the person to whom the matter is reported. The telephone report will be confirmed in writing to the Local Authority Social Services Department within 48 hours. The confirmation may be handwritten, posted or faxed but, in any event, a copy of the letter will be kept on the learner's file.
- 4.3.4 The Designated Officer will notify the Centre Manager as soon as practicable and in any event within 48 hours of the initial concern arising.
- 4.3.5 The Centre Manager will inform the Partnership and Contract Compliance Manager and keep the Partnership and Contract Compliance Manager up to date with developments.
- 4.3.6 Written Records - The Designated Officer will complete a written report and retain a copy of:
- The report
 - Any notes, memoranda or correspondence dealing with the matter
- Copies of reports, notes etc should be kept securely locked at all times, and kept for a period of 7 years.

5. Suspicion, allegation or actual abuse or a safeguarding cause for concern of a learner/child/vulnerable adult by a member of Centre staff

Staff need to be prudent about their own conduct and vigilant about the conduct of others, so that their relationships with children and vulnerable adults remain, and are seen to remain, entirely proper and professional. It is recognised that staff can be vulnerable to the possible consequences of their close professional relationships with children and vulnerable adults and to the potential for malicious and misplaced allegations being made, whether deliberately or innocently, arising from the normal and proper associations that staff may have with them.

All staff should be aware of their duty to raise concerns, where they exist, about the unsafe practice of colleagues in regard to children and young people and vulnerable adults.

- 5.1.1 Any allegation or suspicion of abuse or a safeguarding concern by a member of staff must be reported to the Centre Manager, as soon as possible by the Designated Officer, within 2 hours of receiving the written report using Appendix 3 from a member of staff.

If the allegation meets any of the criteria set out in paragraph 5.1 of 'Safeguarding Children & Safer Recruitment in Education' Jan 2007, the Centre Manager shall report it to the Local Authority Designated Officer(s) (Head of Targeted Services) on the same day.

- 5.1.2 If the allegation concerns a vulnerable adult learner the Centre Manager must report the matter to the Police or local Social Services Department Safeguarding Adults Coordinator where the vulnerable adult is considered to be suffering or is likely to suffer significant harm.
- 5.1.3 It is not necessary to make a referral to Social Services where an allegation can be shown beyond doubt to be demonstrably false. It is also not necessary to make a referral to Social Services where the allegation is judged to be of a trivial nature.
- 5.1.4 In any case the Centre Manager must take such steps that she or he considers necessary to ensure the safety of the learner who has made the allegation and any other vulnerable adult or child or learner who might be at risk. They must follow their own Centre's Staff Disciplinary Codes and Procedures. These steps may include:

Staff Suspension

Suspension is deemed a neutral act - safeguarding both the child/vulnerable adult making the allegation and the member of staff

Suspension is recommended in the following circumstances:

- a. a person would be at risk
- b. the allegation is so serious that summary dismissal for gross misconduct is possible
- c. it is necessary to allow unimpeded investigation

Alternatives to Suspension

- Leave of absence (paid)
- Allocating different duties without contact with the child or vulnerable adult
- Providing a colleague to be present during all contact time
- Allocating administrative duties only

- 5.1.5 At an early stage, staff subject to an allegation should be advised to seek advice and support from their professional association or trade union. The matter should remain confidential and information should be disclosed on a need to know basis only.

5.2 Suspected Abuse or Safeguarding Concern

A member of centre staff may make an allegation of suspected abuse or a safeguarding cause for concern of a learner by another member of centre staff,

even if the learner does not disclose this abuse. The member of staff who suspects the abuse or safeguarding cause for concern should complete the form in Appendix 3 and discuss their suspicions with their Designated Officer who will, if appropriate, report the suspicion to the Centre Manager.

The Centre Manager will decide how the matter is to be investigated and what is the most appropriate action to be taken during the period of investigation.

5.3 Managing the aftermath of unfounded and unsubstantiated allegations

- 5.3.1 Where it is subsequently found that an allegation was made with malice and aforethought, the Centre Manager will determine an appropriate course of action according to their own centre's procedures. This may include disciplinary action against the accuser, acceptance of a written apology [subject to agreement about future behaviour] or other such sanctions the Centre Manager may deem appropriate.
- 5.3.2 Despite the distress caused, children/vulnerable adults who make false allegations may still be entitled to continue to receive full access to the curriculum. The circumstances of each case will be reviewed on an individual basis.
- 5.3.3 Where remaining in the same organisation as the falsely accused member of staff would be prejudicial either to that member of staff or the child/vulnerable adult, consideration should be given to the child/vulnerable adult studying elsewhere. Permanent exclusion should be considered only as a last resort.
- 5.3.4 The Centre Manager will make sure that members of staff, who have been subject to false or unsubstantiated allegations, receive either personal or professional support or both.
- 5.3.5 If investigations have revealed any competency issues then, following disciplinary or capability procedures, support mechanisms or other professional support may be offered e.g. training, in line with the centre's procedures and processes.

6. Roles and Responsibilities

6.1 The Role and Responsibilities of the Partnership and Contract Compliance Manager

The Partnership and Contract Compliance Manager will:

- 6.1.1 Receive notification of any allegations of abuse from the centres and inform the College's Lead Designated Officer.
- 6.1.2 Include compliance with the Safeguarding and Promoting the Welfare of Children and Vulnerable Adults Procedure for Franchises in the centre monitoring arrangements for the College.
- 6.1.3 Make regular reports, in line with the College's reporting mechanisms, to the College's Lead Designated Officer.

- 6.1.4 Arrange investigations on behalf of the College, in conjunction with the College's Lead Designated Officer, should a Centre Manager be accused of abuse by a learner.

6.2 The Role and Responsibilities of the Centre Manager

The Centre Manager will:

- 6.2.1 On receipt of a completed Appendix 3 Form alleging abuse of a child, or vulnerable adult by persons known, unknown or by the designated member of staff, the Centre Manager will inform the Partnership and Contract Compliance Manager at the College and ensure that they receive a copy of the completed Form Appendix 3 within 24 hours.
- 6.2.2 On receipt of a completed Appendix 3 Form accusing a member of centre staff of abusing a child or vulnerable adult, the Centre Manager will take action in accordance with the staff Disciplinary codes and procedures of the Centre.
- 6.2.3 Ensure that everyone with substantial access to children and vulnerable adults will have training on indicators of abuse, good practice, practices never to be sanctioned and any changes in legislation.

6.3 The Role and Responsibilities of the Designated Officer

6.3.1 The Designated Officer will:

Ensure the centre meets its statutory duties defined within the 1989 Children Act, Section 175 of the Education Act 2002 and the DfES and Safeguarding Guidance and the National Framework of Standards for Safeguarding Adults, ADSS 2005, by:

- Providing professional advice, support and guidance to staff regarding any suspicion of abuse, if a young person or vulnerable adult makes a disclosure or in relation to the possible abuse of trust.
- Provide professional advice, support and guidance to staff regarding causes for concern other than abuse with regards to children and vulnerable adults
- Gathering statements and information regarding child and vulnerable adult safeguarding issues and ensure that records are kept safely and securely
- Making decisions, in consultation with the Centre Manager, regarding appropriate action.
- Sharing information and making referrals with Children's Social Care or the Safeguarding Vulnerable Adult Coordinator at Social Services, where appropriate, to support child protection enquiries and children in need assessments as well as safeguarding vulnerable adult learner enquiries.
- Monitoring learners after a referral is made and ensuring that the centre is adhering to any work agreed with Social Services or other agencies

- Producing an annual report, that reviews how the duties have been discharged.
- Liaising with the Local Safeguarding Children Boards and the London Safeguarding Board
- Ensuring that everyone with substantial access to children and vulnerable adults will have training on indicators of abuse, good practice, practices never to be sanctioned and any changes in legislation
- Undertaking annual training on Safeguarding

6.4 The Role and Responsibilities of Centre staff

Staff will:

- 6.4.1 Accept and recognise their responsibilities in relation to good practice and the reporting of suspected poor practice and allegations or concerns about abuse.
- 6.4.2 Be ready and receptive to learners who wish to make a disclosure of abuse and to comply with this procedure.
- 6.4.3 Disclose to the Designated Officer all relevant information.
- 6.4.4 Provide clearly written statements of the concern or disclosure on the same day to the Centre Manager.
- 6.4.5 Attend meetings as required.
- 6.5.5 Undertake training on Safeguarding as part of induction and as required for updating.

7. Confidentiality

The child or vulnerable adult should be informed at the earliest possible stage of the disclosure and that the information will be passed on. Staff must not discuss the case with anyone other than those involved in the case.

Definitions of Abuse and Safeguarding Issues

Physical abuse is usually the use of force to cause pain and injury and signs might include burns, bruising, scratches, or accidents that cannot be explained. Also included is misuse of medication or when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child or vulnerable adult.

Emotional abuse is the persistent emotional ill treatment such as to cause severe and persistent adverse effects on emotional development.

Psychological Abuse: such as threats of harm or abandonment, humiliation, blaming or controlling behaviour, verbal insults, enforced isolation, intimidation and coercion.

Discriminatory Abuse: this includes any sort of abuse based on a vulnerable adult's or child's race, gender or impairment such as their mental or physical health

Sexual abuse includes rape and sexual assaults to which the vulnerable adult or child/vulnerable adult has not consented, or could not consent, or was pressurised into. Signs can include changes in behaviour, using sexual language or physical discomfort. It may also include encouraging children and vulnerable adults to behave in sexually inappropriate ways.

Neglect

Neglect and Acts of Omission are when a vulnerable adult or child does not have their basic needs met, such as adequate food or warmth or help with personal hygiene. It may also include inadequate shelter including exclusion from home or abandonment, failure to ensure adequate supervision including the use of inadequate carers, or the failure to ensure access to appropriate medical care or treatment. Signs might include deteriorating health, appearance or mood.

Institutional Abuse: this is poor professional practice in an institution designed to safeguard both children and adults, including neglect, and can take the form of isolated incidents right through to ill treatment or gross misconduct.

Financial or Material Abuse: this is when a child/vulnerable adult is exploited for financial gain. It includes theft, fraud, exploitation, misuse or misappropriation of property/finance etc.

Safeguarding issues may also be recognised in the specific circumstances identified below:

- Child pornography and the Internet
- Forced marriage of a child
- Young carers
- Looked after children and children living away from home
- Pregnancy of a child
- Self harming and suicidal behaviour

This list is not exhaustive.

Guidelines for Centre Staff on dealing with disclosures of abuse or abuse of trust.

Do

- ✓ Be ready to listen to what the person is saying. Reassure the person, acknowledge that they have been brave to tell you.
- ✓ Make sure the person is comfortable in a secure environment where they cannot be overheard or interrupted.
- ✓ Take what they say seriously.
- ✓ Offer practical help i.e. glass of water or tissues.
- ✓ Remind the child, young person or vulnerable adult that you have a duty to follow procedure in order to safeguard and support them and that you will inform the Centre Manager. Reassure them that only those who 'need to know' will be privy to the information.
- ✓ Tell them what the next steps will be after you have spoken to the Centre Manager.
- ✓ Refer the matter to the Centre Manager immediately.
- ✓ Confirm the details of the disclosure in writing as soon as possible, as accurately as possible and ensure that the time, place and date are noted and that the account is signed.
- ✓ Avoid any delay in reporting the cause for concern or disclosure to the Centre Manager as this could increase the risk to the learner and to other family members or other learners.
- ✓ Where abuse is suspected but not disclosed by the learner, the member of staff should report their concerns to the Centre Manager.

Don't

- Do not offer confidentiality or to keep what you are being told secret.
- Don't appear to be shocked or upset by what the child, young person or vulnerable adult is telling you, even if what they are saying is distressing.
- Don't touch the person to comfort or reassure them.
- Don't question the person about the alleged abuse, beyond the minimum necessary to understand what is being alleged
- Don't give false reassurances in order to comfort the person.
- Don't take the person back home

APPENDIX 3

REPORT FORM (RF1)

REPORTING ALLEGED OR SUSPECTED ABUSE OR OTHER CAUSE FOR CONCERN OF A CHILD, VULNERABLE ADULT OR OTHER LEARNER TO THE CENTRE MANAGER

To be completed by a member of staff who is reporting the disclosure of abuse of a learner or suspected abuse or a cause for concern under the Safeguarding Policy. To be completed and forwarded to a Centre Manager within 24 hours of receiving the “alert”

Form Completed by		Tel no.	
Position		Date	
Sector/Service		Manager	

1. Alleged Victim or Safeguarding Cause for Concern Learner					
If there is more than one learner, please fill in a separate sheet for each person					
Surname					
Forenames					
ID No.					
Current Address					
Postcode		Tel:		Mobile:	
Date of birth					

Has the learner consented to the referral?	Yes		No			
Has the learner the capacity to consent to this					Not known	
Is the learner aware of this referral?	Yes		No		Not known	

2. Alleged Abuser or person creating the safeguarding cause for concern					
If there is more than one person please give details of each					
Surname					
Forenames					
Current Address					
Postcode		Tel:		Mobile:	
More than one alleged individual? (Please specify)					

3. The Abuse/Safeguarding Cause for Concern

Type of abuse/safeguarding cause for concern suspected:

(Please tick as many as apply)

Physical abuse	Sexual abuse	Financial or material abuse
Emotional Abuse	Psychological abuse	Institutional abuse
Neglect	Discriminatory abuse	
Cause for concern: please specify		

Place where suspected abuse/safeguarding cause for concern took place:

(Please specify):

Alleged victim's own home	Alleged victim's parent's home	Residential care home
Alleged victim's relative's home	Alleged perpetrator's own home	College (give details)
Adult placement scheme	Other (please specify)	
Address where suspected abuse/safeguarding cause for concern took		

Are there witnesses? If yes, provide contact details.

Name and address of witness		
	Tel:	Mobile:

Name and address of witness		
	Tel:	Mobile:

4. Additional Information: please provide as much detail as possible about the abuse/safeguarding cause for concern you are reporting.

5. Actions taken

Have you taken any actions other than completing this form? Please specify