

***NAME OF ORGANISATION***

**Safeguarding  
Children, Young People and Vulnerable  
Adults  
Policy and Procedure Guidelines**

**THIS POLICY SHOULD BE AVAILABLE TO ALL  
STAFF VOLUNTEERS AND VISITORS AT ALL  
TIMES.**

## Introduction

This document is provided to adult training providers as a general guide only and is not intended to provide legal advice. Training providers must ensure that they obtain independent legal advice relevant to their particular circumstances.

This document does not provide advice or guidance for every situation. Readers of this document should in all cases refer to the following documents;

- Working Together to Safeguard Children, 2006 produced by the DfES [Safeguarding Children and Safer Recruitment in Education 2007 produced by the Department for Education and Skills]
- Safer Practice, Safer Learning, A whole-organisation approach to safeguarding vulnerable adults for the learning and skills sector produced by the National Institute of Adult and Continuing Education (England and Wales) (NIACE).

You must establish the level of risk associated with your particular circumstances by carrying out a risk assessment in which you will identify those vulnerable individuals that you may come into contact with and where you will come into contact with them. You are expected to know and understand the procedures in place for the organisations to which you are providing services. The HSE web site gives good examples of risk assessment and provides an on line form for use by service providers which can be completed and downloaded from their web site;

<http://www.hse.gov.uk/contact/faqs/riskassess.htm>

ConstructionSkills may provide copies of its own safeguarding policies and associated documents. All such documents are provided for information only. It is important to remember that ultimately the questions that may be asked of any learner will demonstrate how well providers have included learners in their provision.

**IMPORTANT:** The information provided in this document is not intended to constitute legal advice and should not be relied upon as such. All providers of services to ConstructionSkills are advised to take independent legal advice as to their duties and obligations in relation to the safeguarding of children, young persons and vulnerable adults.

# SAFEGUARDING CHILDREN, YOUNG PEOPLE & VULNERABLE ADULTS STATEMENT

## (NAME OF ORGANISATION)

(Organisation name) fully recognises its responsibilities for protecting vulnerable groups. Our policy applies to all staff, governors and volunteers working in (Organisation name). We have developed this policy in consultation with (name) Safeguarding Children Board and adult services. There are five main elements to our policy:

- Ensuring we practice safe recruitment in checking the suitability of staff and volunteers to work with vulnerable groups.
- Raising awareness of vulnerable group protection issues and equipping vulnerable persons with the skills needed to keep them safe.
- Developing and then implementing procedures for identifying and reporting cases, or suspected cases, of abuse.
- Supporting learners who have been abused in accordance with his/her agreed protection plan.
- Establishing a safe environment in which vulnerable groups can learn and develop.

We recognise that because of the day to day contact with learners, staff are well placed to observe the outward signs of abuse. The organisation will therefore:

- Establish and maintain an environment where learners feel secure, are encouraged to talk, and are listened to.
- Ensure learners know that there are those in the organisation whom they can approach if they are worried.
- Include opportunities in the curriculum for learners to develop the skills they need to recognise and stay safe from abuse.

We will follow the procedures set out by the (name) Safeguarding Children Board or adult services and take account of guidance issued by the Department for Children, Schools and Families to:

- Ensure we have a designated senior person for for the protection of vulnerable groups who has received appropriate training and support for this role. The designated senior person is (name) and their deputy is (name).
- Ensure we have a nominated Senior Manager responsible for the protection of vulnerable groups.
- Ensure every member of staff (including temporary and supply staff and volunteers) and members of the governing body know the name of the designated senior person responsible for the protection of vulnerable groups and their role.
- Ensure all staff and volunteers understand their responsibilities in being alert to the signs of abuse and responsibility for referring any concerns to the designated senior person responsible for the protection of vulnerable groups.
- Ensure carers have an understanding of the responsibility placed on the organisational and staff for the protection of vulnerable groups by setting out its obligations in the prospectus and publishing our policy on the organisations website.
- Notify social services if there is an unexplained absence of more than two days of a learner who is subject to a protection plan.
- Develop effective links with relevant agencies and co-operate as required with their enquiries regarding protection matters including attendance at case conferences.
- Keep written records of concerns about vulnerable persons, even where there is no need to refer the matter immediately.
- Ensure all records are kept securely; separate from the main learner file, and in locked locations.

- Develop and then follow procedures where an allegation is made against a member of staff or volunteer.
- Ensure safe recruitment practices are always followed.

We recognise that learners who are abused or witness violence may find it difficult to develop a sense of self worth. They may feel helplessness, humiliation and some sense of blame. The organisation may be the only stable, secure and predictable element in the lives of learners at risk. When in learning their behaviour may be challenging and defiant or they may be withdrawn. The organisation will endeavour to support the learner through:

- The content of the programme.
- The organisations ethos which promotes a positive, supportive and secure environment and gives learners a sense of being valued.
- The organisations behaviour policy which is aimed at supporting vulnerable learners. The organisation will ensure that the pupil knows that some behaviour is unacceptable but they are valued and not to be blamed for any abuse which has occurred.
- Liaison with other agencies that support learners such as social services, Child and Adult Mental Health Service, education welfare service and educational psychology service.
- Ensuring that, where a learner is subject to a protection plan leaves, their information is transferred to the new learner organisation immediately and that the relevant social worker is informed.

We will review our safeguarding children, young people and vulnerable adults policy and procedures at least every year to make sure they are still relevant and effective.

Signed: \_\_\_\_\_ Date \_\_\_\_\_  
 Director of Organisation

## Practice Guidance

This document has been designed to help workers and volunteers know how to respond to situations where they may have concerns about the safety and wellbeing of a child, young person and vulnerable adults that they have contact with in any situation.

For the purposes of the guidance, those adults eligible for support under the Safeguarding Adults Procedures are those who are 18 years and over, who are, or may be eligible to receive support from social care or health services and who may be unable to take care of themselves, or be unable to protect themselves against serious harm or exploitation and whose independence and well-being would be, or is at risk if they did not receive appropriate health or social care support.

People who may be eligible include adults who are frail, either physically or mentally (dementia) due to old age, adults with mental ill-health, adults with physical disabilities and/or sensory impairments, and adults with learning disabilities. Other people to consider include adults who misuse substances, adults whose behaviour or condition puts them at risk of abuse, and victims of domestic violence who meet the above criteria.

It may also include carers; family and friends of those people who provide personal assistance and care to adults on an unpaid basis, who meet the above criteria. Individuals who are not in receipt of services but fulfil the above criteria are eligible for support under the Safeguarding Adults Procedures.

Adults who are meeting their assessed care needs through Direct Payments, Individual budgets or Self-Funded Placements, (adults funding their own care arrangements), will be afforded the same support to investigate and safeguard themselves against abuse as would any other adult eligible to access the Safeguarding Adults Procedures.

Please note: that just because someone is disabled in some way, or old or ill does not mean that they are unable to take care of themselves or protect themselves from abuse. They may be perfectly able to do so. However, research has shown that anyone being cared for, either in a care setting or at home or by other services, is by definition vulnerable. This is because the person is in a position of dependency on others.

Generally the more dependent a person is on the assistance or support of others to carry out everyday activities of daily life, the more vulnerable the person is likely to be. This is particularly so when there is also a degree of mental incapacity or mental disorder that affects the person's ability to make informed decisions and exercise choice.

Due to the nature of our work (**name of organisation**) may be in the frontline of work with some children, young people and vulnerable adults and their families and/or carers. This may mean that we are the first to know that a child, young person or vulnerable adult has been abused or that we are concerned about a person's wellbeing. Everyone has an equal responsibility to ensure that children's, young people's and vulnerable adult's needs are put first and to safeguard any person with whom we may come into contact. This responsibility rests not only with **the Director (or other official)** but also with every individual employed or volunteering within our organisation whilst at work or at home.

It is essential that all staff and volunteers know how to respond in these circumstances.

All staff and volunteers must endeavour at all times to safeguard all children, young people and vulnerable adults from harm and exploitation whatever their:

- Race, Religion, First Language or Ethnicity
- Gender or Sexuality
- Age
- Health, ill-health or disability
- Location or placement (e.g. living alone, in a hostel or residential unit, with their family or a foster family, as a tourist in a hotel, care home residents etc)

- Criminal or offensive behaviour
- Wealth or lack of it
- Political or immigration status

Individuals within the organisation need to be alerted to the potential abuse of children, young people and vulnerable adults both within families and also from other sources including abuse by members of staff in our and other organisations. They need to know how to recognise and act upon indicators of abuse or potential abuse involving these groups. There is an expected responsibility for all members of the organisation to respond to any suspected or actual abuse of a child, young person or vulnerable adult in accordance with the procedures provided.

### **Confidentiality**

It is important for all staff to follow the statement of confidentiality outlined below:

We treat all children, young people, vulnerable adults, carers, parents and families with respect. Information that is given to us will be treated confidentially and shared only with those persons who have an agreed reason to have the information. Information will only be passed to other people with the agreed consent of the person giving the information, except if there are concerns about the welfare of a child, young person or vulnerable adult. In these circumstances a discussion will be held with the designated worker/line manager and if it is considered appropriate the information will be shared with professionals in the local authority/police/health.

### **Immediate Action**

Immediate action may be necessary at any stage in involvement with children, young people, vulnerable adults and families.

It is always good practice to be as open and honest as possible with parents/carers about any concerns.

**IN ALL CASES IT IS VITAL TO TAKE WHATEVER ACTION IS NECESSARY TO SAFEGUARD A CHILD, YOUNG PERSON OR VULNERABLE ADULT. THIS MAY INCLUDE THE FOLLOWING:**

- If emergency medical attention is required this can be secured by calling an ambulance (dial 999) or taking a child, young person or vulnerable adult to the nearest Accident and Emergency Department. In the case of a child, it would be appropriate for a responsible person or designated adult to accompany the child to hospital.
- If a child, young person or vulnerable adult is in immediate danger the police should be contacted (dial 999) as they alone have the power to remove a **child immediately if protection is necessary, via a Police Protection Order.**

### **Recognition of Abuse or Neglect**

'Abuse and neglect' is a generic term encompassing all ill treatment of children, young people or vulnerable adults, including serious physical and sexual assaults as well as cases where the standard of care does not adequately support the person's health or development.

Abuse and neglect are forms of maltreatment of a vulnerable person. Somebody may abuse a child, young person or vulnerable adult, by inflicting harm, or by failing to prevent harm.

Children may be abused in the family or an institutional or community setting by those known to them or, more rarely, by a stranger. An adult or adults or another child or children may abuse them.

*Working Together to Safeguard Children, 2006* sets out definitions and examples of the four broad categories of abuse:

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect

These categories overlap and an abused person does frequently suffer more than one type of abuse (e.g. a child may be suffering physical and emotional abuse). The definitions below encompass all groups covered by this policy.

a) Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child (*Working Together, 2006*).

b) Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capacity, as well as over-protection and limitation of exploration and learning, or preventing the child participating in normal social interactions. It may involve serious bullying causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone (*Working Together, 2006*).

c) Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape or buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways (*Working Together, 2006*).

d) Neglect

Neglect involves the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health and development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child young person or vulnerable adult from physical harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a vulnerable person's basic emotional needs (*Working Together, 2006*).

***N.B. Children, young people or vulnerable adults need to be protected even when it appears that they are not aware that the physical abuse, or sexual activity that they are involved in or witness, or the neglect they experience, is harmful to them.***

## Signs of Possible Abuse

When considering whether there is evidence to suggest a child, young person or vulnerable adult has been abused, there are a number of possible indicators (listed below). However, there *may* be other explanations, so it is important not to jump to conclusions but rather seek advice from Children's Services or the Police Child Abuse Investigation Unit, in the case of vulnerable adults, contact Adult Services. There may also be no signs or symptoms, this does not mean that a report of abuse is false.

### Signs Suggesting Physical Abuse

- Any injuries not consistent with the explanation given for them
- Injuries that occur to the body in places, which are not normally exposed to falls, rough games etc.
- Injuries that have not received medical attention
- Neglect – under nourishment, failure to grow, constant hunger, stealing or gorging food, untreated illnesses, inadequate care etc.
- Reluctance to change for, or participate in, games or swimming
- Repeated urinary infections or unexplained tummy pains.
- Bruises, bites, burns, fractures etc that do not have an accidental explanation\*
- Cuts/scratches/substance abuse\*
- Changes in routine

### Indicators of Possible Sexual Abuse

- Any allegations made by a person concerning sexual abuse
- Person with excessive preoccupation with sexual matters and detailed knowledge of adult sexual behaviour, or who regularly engages in age-inappropriate sexual play
- Sexual activity through words, play or drawing
- Child, young person or vulnerable adult who is sexually provocative or seductive with adults
- Inappropriate bed-sharing arrangements at home
- Severe sleep disturbances with fears, phobias, vivid dreams or nightmares, sometimes with overt or veiled sexual connotations
- Eating disorders – anorexia, bulimia\*
- Bed wetting and soiling

### Signs Suggesting Emotional Abuse

- Changes or regression in mood or behaviour, particularly where a child, young person or vulnerable adult withdraws or becomes clingy – also depression/aggression, extreme anxiety
- Nervousness, frozen watchfulness
- Obsessions or phobias
- Sudden under-achievement or lack of concentration
- Inappropriate relationships with peers and/or adults, carers or family
- Attention-seeking behaviour
- Persistent tiredness
- Running away/stealing/lying

**\* These signs may also indicate the possibility that a child, young person or vulnerable adult is self-harming**

### Concerns of a General Nature/not Relating to a Specific Individual

There may be instances where concerns do not relate to a specific individual. It may be that there are concerns in respect of institutional abuse or neglect within a service, and this may affect a number of people who use that service.

Concerns do not need to be specific to an individual in order to alert. The Duty of Care remains the same whether alerting concerns involving one individual, several individuals or service-related issues that may affect many people.

### What To Do If Children, Young People or Vulnerable Adults Talk To You About Abuse Or Neglect

It is recognised that a child or a vulnerable adult may seek out an adult to share information about abuse or neglect with, or talk spontaneously either individually, or in groups when an adult is present. In these situations staff members or volunteers must:

- Listen carefully to the child or adult, and NOT directly question them.
- Give the child or adult time and attention.
- Allow the child or adult to give a spontaneous account; do not stop them when they are freely recalling significant events.
- Make an accurate record of the information given taking care to record the timing, setting and people present, the child or adult's presentation as well as what was said. Do not throw this away as it may later be needed as evidence.
- Use the child or adult's own words where possible.
- Explain that they cannot promise not to speak to others about the information they have shared.
- Reassure the child or adult that:
  - You are glad they have told them;
  - S/he has not done anything wrong;
  - What you are going to do next;
  - Explain that you will need to get help to keep them safe;
  - You must NOT ask the child or adult to repeat his or her account of events to anyone.

### Consulting about the concern

The purpose of consultation is to discuss concerns in relation to a child or adult and decide what action is necessary. Staff or volunteers may become concerned about a child or adult who has not spoken to them, because of something they have observed, or information they have heard about a child or adult.

If a child or adult is upset or has a visible injury it is good practice to ask them why they are upset or how a cut or bruise was caused, or respond to a child or adult who wants to talk. This practice can help clarify vague concerns and result in appropriate action.

If staff members are concerned about a child or adult they must share their concerns. Initially they should talk to (insert name position and contact details of Line Manager, Named Senior Person or another member of staff who is designated as being responsible for child and vulnerable adult protection within your organisation).

If a member of our staff or a volunteer is implicated in any concerns about a child or vulnerable adult, staff should discuss their concerns directly with the Children's Services Referral and Assessment Team telephone number (insert local number here), or the Adult Services Duty Team telephone number (insert local number here). (See section on Allegations Management below)

Staff members and volunteers should consult externally with Children's Services Referral and Assessment Team or Adult Services Duty Team in the following circumstances:

- When they remain unsure after internal consultation as to whether child or vulnerable adult protection concerns exist
- When there is disagreement as to whether child or vulnerable adult protection concerns exist
- When they are unable to consult promptly or at all with the designated internal contact for child or vulnerable adult protection

- When the concerns relate to any individual within our organisation

Consultation is not the same as making a referral but this should help a decision to be made as to whether a referral to Children's or Adult Services or the Police should progress.

### Making a referral

A referral involves giving Children or Adult Services or the Police, information about concerns relating to a child, young person, vulnerable adult or family in order that enquiries can be undertaken by the appropriate agency followed by any necessary action. In certain cases the level of concern will lead straight to a referral without external consultation being necessary.

Parents/carers should be informed if a referral is being made **except** in circumstances where it is considered that informing parents/carers would place a child, young person, vulnerable adult, yourself or others at immediate risk.

However, inability to inform parents for any reason should not prevent a referral being made. It would then become a joint decision with Children's or Adult Services about how and when the parents or carers should be approached and by whom.

If the concern is about abuse or risk of abuse from someone not known to the child or child's family, young person or vulnerable adult (stranger abuse) make a telephone referral directly to the police and advise the parents or carers.

If the concern is about abuse or risk of abuse from a family member or someone known to the child, young person or vulnerable adult, make a telephone referral to the Referral and Assessment Team, or the Adult Services Duty Team.

### Information required

Staff should be prepared to give as much of the following information as possible (in emergency situations all of this information may not be available). Unavailability of some information should not stop anyone making a referral.

- Provide your name, telephone number, position and request the same details from the person to whom you are speaking.
- Full name and address, telephone number of family, date of birth of child, young person or vulnerable adult and siblings.
- Gender, ethnicity, first language, any special needs.
- Names, dates of birth and relationship of household members and any significant others.
- The names of any professionals' known to be involved with the child, young person, or vulnerable adult/family e.g.: GP, Health Visitor, School.
- The nature of the concerns, and reason for them.
- Your opinion on whether the child, young person or vulnerable adult may need urgent action to make them safe.
- Your view of what appears to be the needs of the child, young person, vulnerable adult and family or carers.
- Whether the parent, carer or person with parental responsibility has given their consent to the referral being made.

### Action to be taken following the referral

Ensure that an accurate record is made and kept, detailing the concerns that have been referred.

Make sure the concerns are confirmed in writing to the Referral and Assessment Team or Adult Duty Team following the referral (within 48 hours).

Accurately record the action agreed or that no further action is to be taken and the reasons for this decision.

### Confidential Records of Concern

Ensure that any records in respect of the children, young people, vulnerable adult, their parents and/or carers are kept confidential in a secure place. Information should only be shared on a need to know basis. Where the sharing of information is vital to protect a child, young person or vulnerable adult the issue of confidentiality is secondary to their need for protection.

### **IF YOU ARE IN DOUBT, CONSULT.**

### Safe Recruitment and Selection

Our organisation will take all possible steps to prevent unsuitable people working with children, young people or vulnerable adults and in doing so will follow the good practice set out in the DfES guidance document Safeguarding Children and Safer Recruitment in Education, and the Safer Practice, Safer Learning, A whole-organisation approach to safeguarding vulnerable adults for the learning and skills sector produced by the National Institute of Adult and Continuing Education (England and Wales) (NIACE).

When interviewing potential staff we will ensure:

- There is an open recruitment process
- There is a rigorous interview
- Applicants identity and claims to any academic or vocational qualifications will be verified
- References will be taken up by direct contact with referees
- Evidence of the date of birth and address of the potential employee will be sought
- Where appropriate, an enhanced disclosure via the Criminal Records Bureau will be secured and where necessary any ISA registration.

Where a position requires an enhanced disclosure this will be clear on the application form, job advert and any other information provided about the post. All applicants will complete an application form enabling each of them to have the same opportunity to provide information about themselves and assist in identifying any gaps in their employment.

During interviews the interview panel will explore:

- The candidates attitude toward children, young people and vulnerable adults
- His or her ability to support the organisations agenda for safeguarding and promoting the welfare of children, young people or vulnerable adults
- Any gaps in the candidates employment history
- Any concerns or discrepancies arising from the information provided by the candidate and/or referee

A job offer will only be made subject to the necessary checks being satisfactory.

All staff will have a job description and contract of employment, and be required to work a probationary period.

A central list will be held for those who require checks with the details that are set out in the DfES document Safeguarding Children and Safer Recruitment in Education.

## Post Appointment

All staff and volunteers (paid or unpaid), regardless of previous experience will take part in an induction programme during their first three months of employment.

The purpose of this will be to:

- Provide training about our policies and procedures
- To provide support to individuals in the role for which they have been engaged
- To provide opportunities for a new member of staff or volunteer to discuss any issues or concerns about their role or responsibilities
- To enable the person's line manager, supervisor or mentor to recognise any concerns about the person's ability or suitability at the outset and address them immediately
- To ensure that the individual is aware of policies, procedures and statements in relation to safeguarding and promoting the welfare of children, young people or vulnerable adults
- To ensure that individuals understand how and with whom they should raise any concerns with regard to any practice issues
- To ensure that individuals are aware of other relevant procedures, e.g. disciplinary, capability and whistle blowing
- To ensure that all staff and volunteers have appropriate levels of training in safeguarding children, young people or vulnerable adults and other responsibilities in connection with their role
- To advise individuals about supervision and appraisal systems

## Allegations Against Staff or Volunteers / Whistle Blowing

Allegations are usually addressed in two areas:

1. Allegations that a child, young person or vulnerable adult is being harmed by a member of staff, is known as Allegations Management
2. General allegations of wrongdoing is known as Whistle-Blowing

All staff and volunteers have a responsibility to ensure they do not abuse their positions of trust within our organisation. Any concerns raised by a member of staff/volunteer or a member of the public regarding inappropriate behaviour by any member of this organisation will be managed via the following procedure and all allegations will be acted on. See Staff code of conduct attached at Annex A.

## Allegations Management

If anyone raises a concern about another worker, professional or volunteer where they have:

- Behaved inappropriately in a way that has harmed or may have harmed a child, young person or vulnerable adult
- Possibly committed a criminal offence against or related to a child, young person or vulnerable adult
- Behaved towards a child or children, young people or vulnerable adults in a way that indicates s/he is unsuitable to work with these groups in their work, volunteering capacity or private life

This will be reported to (insert name position and contact details of Line Manager, Named Senior Person or another member of staff who is designated as being responsible for Allegations Management). The Named Senior Person must inform the Local Authority Designated Officer (LADO) for Allegations Management – Tel: (insert local number). The LADO will advise on how to proceed, whether the matter can be dealt with within our organisations own arrangements or whether a multi-agency strategy meeting is required. In relation to vulnerable adults, consult the Adult Services Duty Team - (insert local number).

Where the LADO decides that the issue can be dealt with internally, the reasoning and advice will be recorded and sent to (insert name position and contact details of Line Manager, Named Senior Person or another member of staff who is designated as being responsible for Allegations Management), Children's Services Referral and Assessment Team and the Police Child Protection Unit. In this instance it will be necessary to comply with the timescales in the Local Authority guidance and inform the LADO of the outcome of the investigation.

Where the LADO decides the case needs to proceed to an 'Incident Evaluation Meeting' (IEM) meeting s/he will make a referral to the Children's Services Referral and Assessment Team and convene the meeting/s in accordance with their guidance.

Complaints made directly to the police will be reported to the LADO as soon as possible and again s/he will decide whether to hold a strategy meeting. The Police may interview the complainant if they feel this is appropriate.

### Whistle-Blowing

Members of staff may be the first to notice if anything is seriously wrong within the organisation. However, they might not say anything because they think this would be disloyal, or they might be worried that their suspicions are not justified. They may also be worried that they or someone else may be victimised.

If anyone wants to raise any concern, they can do so with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result. Members of the public should also be encouraged to voice any concerns they raise officially.

### What types of action does this include?

This policy is intended to deal with serious or sensitive concerns about wrongdoings such as the following:

- Fraud or corruption
- Member groups, children or students, particularly children and adults in our care, being mistreated
- Unauthorised use of money
- An unlawful act
- Any danger to health and safety
- A person abusing their position for any unauthorised use or for personal gain
- A person deliberately not keeping to a policy, a code of practice or any law or regulation
- A person failing to meet appropriate standards
- A person being discriminated against because of their race, colour, religion, ethnic or national origin, disability, age sex, sexuality, class or home life

The concern may be about members of staff, or other people who work directly for or with the organisation, as part of a collaborative/partnership agreement.

### What is not covered?

Whistle-Blowing policies cannot be used to deal with serious or sensitive matters that are covered by other procedures.

Such Procedures include the following –

- Staff complaints about their employment. These complaints should be dealt with through the Grievance Procedure.

- Customer's complaints about services. These complaints should be dealt with through the Complaints Policy.

Whistle-blowers should be made to feel confident in using the policy to raise issues as where an allegation is true they have nothing to fear. Let them know that if necessary you will take appropriate action under the Public Interest Disclosure Act 1998 to protect them from any harassment, victimisation or bullying.

You will keep their concerns confidential if this is what they want, unless you are unable to by law. Explain this at the time they raise a concern so they can decide whether or not to proceed.

## Anonymous Allegations

Let people know that because you will protect them (as explained above), you encourage them to give their name when they make an allegation. Concerns raised anonymously tend to be far less effective and if, for example, you do not have enough information, you may not be able to investigate the matter at all.

If they feel that they still do not want to give their name (insert name position and contact details of Line Manager, Senior Named Person or another member of staff who is designated as being responsible for Allegations Management) will decide whether or not to consider the matter. The decision will depend on:

- The seriousness of the matter;
- Whether the concern is believable;
- Whether an investigation can be carried out based on the information provided.

Any member of staff or volunteer raising a concern should first do so with their manager or the nominated person, this will depend on the seriousness and sensitivity of the matter, and who is suspected of the wrongdoing.

Concerns are better put in writing giving as much information as possible – including any relevant names, dates, places and so on. The earlier the issue is raised, the easier it will probably be to take effective action.

A person raising a concern will not have to prove beyond all reasonable doubt that the allegation is true, but they will have to show that there are good reasons for their concern.

## Code of Behaviour

All staff and volunteers are expected to behave in a manner, which reflects the child, young person and vulnerable adult-centred principles of our organisation. This good practice will be reinforced during staff development, supervision and training sessions.

## Working with Vulnerable Groups

It is essential that care is taken to minimise the possibility for abuse and misunderstanding and misinterpretation. False allegations are rare but general good practice will help prevent them. The following examples will help to create a positive culture and climate for children, young people and vulnerable adults who visit our premises.

- Never work alone with children, young people or vulnerable adults out of public view. Leaders should not ask staff/volunteers to work with these groups in situations where staff/volunteers will be completely unobserved

- Maintain a safe and appropriate emotional and physical distance from children, young people or vulnerable adults. It is not appropriate for staff or volunteers to have an intimate relationship with children, young people or vulnerable adults who visit our premises
- Do not engage in rough or sexually provocative games
- Do not make sexual comments
- Do not invite or allow children, young people or vulnerable adults into your home (childminders are an exception and will be registered and inspected according to legal requirements)
- Do not give children, young people or vulnerable adults lifts in your car except in emergencies (unless this is part of your job)
- Never let allegations, made by anyone, go unacknowledged, unresolved or not acted upon

*Staff/volunteers should be aware of the potential for misunderstanding when touching children, young people or vulnerable adults.*

If it is an accepted part of an activity, touching should be appropriate to the situation and follow accepted guidelines where they exist. Consoling a child, young person or vulnerable adult who is upset, administering first aid or supporting a participant in an activity is acceptable and necessary behaviour.

### Listening to Children, Young People or Vulnerable Adults

If a child, young person or vulnerable adult says that he or she is being abused or provides information that suggests that they are being abused, the person receiving that information should:

- Be calm and reassure the person but not make promises that may not be kept, e.g. telling the person that no else will be told
- Discuss with the child, young person or vulnerable adult who needs to be told about the situation
- Take what the child, young person or vulnerable adult says seriously.
- Ask questions only to clarify understanding of what has been said (do not interrogate the child, young person or vulnerable adult)
- Let the child, young person or vulnerable adult know you understand what they have said and that you will act upon it

### Complaints

It is reasonable for children, young people, vulnerable adults, parents and carers to have the right to complain or make comment if they are unhappy with the care or service they receive. **(Insert name of organisation)** takes the care of children, young people and vulnerable adults seriously and will address any concerns that are raised.

Receiving complaints and comments about our organisation also helps us to understand the things that we do well and where there are areas that need to be improved.

If anyone would like to complain or comment about any aspect of our organisation it is important to take this seriously and direct them in the first instance to complete a complaints form. If they are reluctant to do this or the situation is regarded as serious the comments should be recorded in writing and brought to the immediate attention of **(insert name position and contact details of Line Manager, Senior Named Person or another member of staff who is designated as being responsible for dealing with complaints within your organisation).**

## Useful Information

### **Criminal Records Bureau (CRB):**

The CRB exists to help organisations identify people who are unsuitable for certain types of work, especially work involving access to or contact with children and other vulnerable members of society, by making "disclosures" of any criminal, police or similar records.

The CRB provides a disclosure service, which offers access to records held by the police, together with information from the following lists: Protection of Children Act 1999 (POCA), Protection of Vulnerable Adults (POVA) and List 99. A charge is made for obtaining a disclosure for paid positions, although disclosures for volunteers, which will include the majority of trustees, are free but will incur an administration charge from the umbrella group they choose to use. A list of umbrella bodies is available online.

Tel: 0870 90 90 811

Website: [www.crb.gov.uk](http://www.crb.gov.uk)

### **Every Child Matters (ECM):**

The ECM website holds a series of published documents that provide guidance on safeguarding, legislation, resources and the Children Act 2004.

Website: [www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk)

### **Independent Safeguarding Authority (ISA):**

A new system is due to come into operation in October 2009 with the launch of the Independent Safeguarding Authority, which will be responsible for the 'vetting and barring' processes. Further information is available at [www.isa-gov.org.uk](http://www.isa-gov.org.uk)

### **Protection of Vulnerable Adults Panel (POVAP)**

In April 2008, the Panel established itself as a formal Safeguarding Adults Board with the main aim of ensuring the effective implementation of Safeguarding Adults Policy and Procedures across all sectors and all agencies supporting vulnerable adults within the South Tyneside.

### **Learning and Skills Council (LSC)**

[www.safelearner.info](http://www.safelearner.info) is designed to give advice on all aspects of health and safety, and particularly in the area of safeguarding.

### **Adults**

Local Adult Services Duty Team Tel; (insert number)

Emergency Duty Team (Outside of Office Hours) Tel: (insert number)

**IN AN EMERGENCY, CONTACT THE POLICE.**

## **Safeguarding Learners - Staff Code of Conduct**

**All staff are required to comply with the following code of conduct. This code of conduct is supplementary to the Staff Disciplinary Code of Conduct and the IS acceptable usage policy**

### **Allegations against staff**

Occasionally, people who pose no risk to vulnerable learners are falsely accused of abuse. This is deeply distressing to all involved and can be very difficult to handle. Any allegations against should never go unreported, including any made against you or your colleagues. It is important to remember that this is a very unusual occurrence and that by taking the following steps you will minimise the chances of being faced with such a difficult situation.

1. The aim is to provide staff with advice which will not only help to protect vulnerable learners but will also help to identify any practices or behaviours which could be mistakenly interpreted and therefore should be avoided in order to prevent false allegations of abuse being made.
2. Good practice will also protect the organisation through reducing the possibility of anyone using their role within the organisation to gain access to vulnerable learners, in order to abuse them.
3. Once in post, there is much staff can do to avoid putting themselves in situations where their actions may be misinterpreted and they inadvertently lay themselves open to accusations of abusing vulnerable learners.

### **Your personal responsibilities**

The code of conduct should guide all actions taken by staff and anyone else working on behalf of the organisation. If it is necessary to act contrary to it (for example being in a position of one to one contact with a vulnerable learner or giving them a lift in your car) you should only do so after discussion, and with the approval of, your line manager or the most senior member of staff available at the time. Staff who breach this code of conduct outside of these specific circumstances may be subject to disciplinary procedures.

### **Code of conduct.**

- Place the safety and well-being of vulnerable learners first – before any personal or organisational goals and before loyalty to friends and colleagues.
- Help to develop a culture in which any member of staff can feel comfortable about pointing out to another member of staff that his/her behaviour is, or may have been, inappropriate.
- Be committed to actively preventing the exploitation and abuse of vulnerable learners.
- Respect all individuals, whatever their age, developmental stage, ability, sex, sexual orientation or ethnicity and treat them all with dignity. Respect each person's boundaries and help them to develop their own sense of their rights, as well as helping them to know what they can do if they feel that there is a problem.

The focus of your relationship with a vulnerable learner you have met through work should always remain on a professional basis. You should never develop a personal relationship. □void socialising with vulnerable learners on occasions when it does not constitute part of your normal duties

Particular care should be taken when supervising vulnerable learners on trips and outings, where the setting is less formal than the usual workplace. Staff remain in a position of trust and need to ensure

that their behaviour remains professional at all times and stays within clearly defined professional boundaries.

Do not take illegal drugs whilst at work. Do not drink alcohol prior to or during contact with vulnerable learners, and do not smoke with or in front of vulnerable learners.

Do not give vulnerable learners alcohol, tobacco products or any form of drug or medication. You should not assist vulnerable learners, in anyway, in obtaining these items.

- Never engage in, or tolerate any bullying of any person.
- Never engage in or tolerate inappropriate physical activity such as 'horse play'.
- Avoid working one to one with a vulnerable learner, work in an open environment and be visible to others when working e.g. avoiding private or unobserved situations.
- Never enter a room where vulnerable learners may be changing their clothes or may not be fully dressed, without first clearly getting their consent to enter, then keep the door open and endeavour always to go with a colleague.
- Not all vulnerable learners feel comfortable about physical contact, and staff should not make the assumption that it is acceptable practice to use touch as a means of communication. Permission should be sought from a vulnerable learner before physical contact is made. It is crucial that in all circumstances, staff should only touch in ways which are appropriate to their professional or agreed role and responsibilities.
- The scale and nature of any physical intervention, to prevent harm, must be proportionate; to the situation, the behaviour of those involved who may need to be controlled and the nature of the harm that may arise. The minimum necessary force should be used.
- In all cases where physical intervention is employed the incident and subsequent actions should be documented and reported to the Designated Person. This should include written and signed accounts of all those involved, including the vulnerable learners. As appropriate parents/carers should be informed the same day.
- Never invite, or allow, a vulnerable learner you have met through work into your home. Also, do not give your personal contact details (including mobile number and e-mail address) to a vulnerable learner you have met through work.
- Be aware of the relative powerlessness of vulnerable learners, and especially those who may have a disability, compared with others.
- Staff should exercise care when selecting vulnerable learners for specific activities or privileges to avoid perceptions of favouritism or unfairness. Methods and criteria for selection should always be transparent and subject to scrutiny. Be alert to signs of abuse information suggesting abuse and know how to report any concerns and suspicion. It is a legal and contractual responsibility for all staff and contractors to pass on relevant information to a Cskills Designated Person.
- It is not appropriate for staff to take photographs of vulnerable learners for their personal use.

### **Practices to be avoided**

The following practice should be avoided except in emergencies. If cases arise where these situations are unavoidable, they should occur with the full knowledge and consent of your Line Manager, or the most senior person available, or the vulnerable learner's parent(s) / carer(s).

- void spending excessive time alone with vulnerable people away from others.
- void situations where guest lecturers, workshop practitioners and visitors are left alone with the vulnerable people under your supervision.

### **Practices that should never occur;**

Staff and volunteers should:

- Never allow allegations made by a vulnerable learner to go unchallenged, unreported or not acted upon.
- Never encourage or participate in an intimate and/or sexual relationship with vulnerable learners.
- Never engage in inappropriate physical or sexually provocative behavior with vulnerable learners.
- Never make sexually suggestive or lewd comments to a vulnerable learner, even in fun.
- Never develop relationships with a vulnerable learner which could in any way be deemed exploitive or abusive.
- Never act in ways that may be deemed abusive or may place a vulnerable learner at risk of abuse.
- Never physically hit a vulnerable learner, reduce them to tears as a form of control, or intentionally shame, humiliate, belittle or degrade them.
- Never allow vulnerable learners to engage in unacceptable behavior or use offensive or discriminatory language without being challenged.
- Never expose vulnerable people to environments or circumstances or allow them to engage in activities that compromise their health or personal safety.
- ever condone or participate in behavior of vulnerable people, which is illegal, abusive or exposes anyone to any degree of danger or risk (that may or may not lead to injury, distress or illness).
- Never create or access any form of pornography, including via the internet, which may be accessed by vulnerable learners