

<b>Title</b>	Safeguarding Children and Vulnerable Adults Policy	
<b>Aim</b>	To inform Co-operative College employees, associates and volunteers of their responsibilities when working with children and vulnerable adults.	
<b>Related Policies / Documents / Procedures</b>	Safeguarding Children and Vulnerable Adults Policy is related to many of the College's other policies, but in particular to: <ul style="list-style-type: none"> <li>• Data Protection</li> </ul>	
<b>Date for Implementation</b>	19 October 2009	
<b>Approved by</b>	Leadership Team	June 2009
	Board of Governors	3 July 2009
<b>Date of next review</b>	July 2011	
<b>Distribution</b>	Leadership Team All College staff	
<b>Version Control</b>	<b>Previous Versions approved:</b> July 2010	

## Safeguarding Children and Vulnerable Adults Policy

### Background

In recent years there has been increasing concern about the safety and welfare of both children and young adults.

Safeguarding children and young people is a major priority for the government and forms a crucial part of the Every Child Matters and Children's Plan led by the Department for Children Schools and Families (DCSF).

Safeguarding is defined by the Children Act 1989 and Joint Chief Inspectors Report on Arrangements to Safeguard Children (2002) as meaning that:

“Agencies and organisations working with children and young people take all reasonable measures to ensure that the risks of harm to the individual’s welfare are minimised.”

The Children Act 1989 states the legal definition of a child is “a person under the age of 18”. Young person’ is not a legal term, for the purposes of the policy and procedures, a young person is someone who might not perceive themselves as a child, but who is still in the age range of the legal definition, and therefore fall within the term ‘child’

Key aspects of legislation have been extended to include protection for ‘vulnerable adults’.

Section 115(4) of the Police Act 1997 states that a person can be considered vulnerable if they are “substantially dependent upon others in performing basic functions, or their ability to communicate with those providing services, or to communicate with others is severely impaired”.

Thus a vulnerable person may be unable to protect themselves from assault, abuse or neglect.

This may be due to a learning or physical disability (dyslexia is not normally in this category) a physical or mental illness chronic or otherwise (which includes addiction to alcohol or drugs) or a reduced level of physical or mental capacity.

Further education colleges have a statutory duty to safeguard and protect children and young people in their care.

There are a number of statutory guidance and provisions relating to child safeguarding that are available and applicable to institutions like the Co-operative College which the College would be expected to take into account. These include:

- The Education Act (2002) Section 175
- The Children Act 2004
- Working Together to Safeguard children 2006
- Safeguarding of the Vulnerable Adult guidance 2006
- Safeguarding of Vulnerable Adult Schemes
- The Children Act 1989
- Section 115(4) of the Police Act 1997
- Every Child Matters
- The Sexual Offences Act
- Manchester Safeguarding Children Board (MSCB)

As a consequence the Co-operative College has taken the view that in the interests of good practice there should be a clear policy and associated procedures to guide work with under-18s and vulnerable adults.

## Statement of Policy

- The Co-operative College is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults in all of its activities.
- The Co-operative College feels that in the interests of good practice there should be a clear policy, associated procedures and guidance to work with under-18 year olds and vulnerable adults.
- The Co-operative College recognises that it has a duty to assist in the development of both staff and students to recognise their responsibilities (through guidance, support and training), thus minimise risk and avoiding situations where abuse or neglect may take place.

## Principles

“Whether working in a paid or voluntary capacity, adults have a duty to keep children and young people safe and to protect them from sexual, physical and emotional harm. Children and young people have a right to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure the safety and well-being of children and young people. Failure to do so may be regarded as neglect.”

Working with Children Chapter 1, pp38.

The College will strive to provide a safe environment for any young people (under 18) in its care while they are studying at the College, visiting the College or

participating in College activities. In College employees, associates and volunteers will go out into schools and youth organisations as part of awareness raising and allied activities.

This policy and procedures are based on the following principles:

- The welfare of young people and vulnerable adults is of primary concern
- All young people and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identify have the right to safeguarding from abuse.
- It is everyone's responsibility to report any concerns about abuse to the Chief Executive and Principal, and the responsibility of the Social Services Department and the Police to conduct, where appropriate a joint investigation.
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately.
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.

## **Definition of Abuse**

Abuse is any behaviour towards a person that deliberately or unknowingly causes him harm, endangers life or violates their rights. Abuse may be:

- Physical.
- Sexual.
- Psychological – repeatedly being made to feel unhappy, humiliated, afraid or devalued by others.
- Financial or material – stealing or denying access to money or possessions.
- Neglect.
- Discriminatory – abuse motivated by discriminatory attitudes towards race, religion, gender, disability or cultural background.

## **Responsibility**

All College staff and students are required to take shared responsibility for the safeguarding and safety of any young people and vulnerable adults. They must be aware of and abide by the College's Policy.

All College staff are in a position of trust, in particular those staff who teach, support, guide or in any way interact with students, young people and vulnerable adults visiting the College. The managerial responsibility for any programme or activity rests with the individual who is directing or organising the activity. This person is expected to ensure that the activity is planned, organised and safely delivered in accordance with the Safeguarding Children and Vulnerable Adults Policy

The Chief Executive and Principal has responsibility for the College's Safeguarding Children and Vulnerable Adults Policy and has nominated the School and Youth Programmes Manager as the senior member of staff responsible for child and vulnerable adult safeguarding issues within the College (the Child and Vulnerable Adult Safeguarding Officer (CVAO)).

The College expects all parents (either students or from the general public) whose children engage with the College to abide by the College's Policy.

## **Responsibilities of the College**

All College employees, associates and volunteers are in a position of trust, in particular those staff who teach, support, guide or in any way interact with students, children and vulnerable adults. It is incumbent all staff to be aware of this and to act accordingly at all times.

The College already has processes in place to check the suitability of some staff and working directly with children and young people. Some staff across the College will be in regular or significant occasional contact with under-18s or vulnerable adults in the course of their teaching or other work. The College is committed to ensuring that all such staff have satisfactory Criminal Records Bureau (CRB) enhanced checks. A 'satisfactory' check is defined as having no criminal convictions (including cautions, reprimands and final warnings) relevant to the post. All employees, associates or volunteers must report any subsequent criminal convictions to the Chief Executive and Principal. Failure to do so will result in disciplinary action being taken.

## **Establishing a Caring Environment**

All staff are responsible for making the College a safe and caring environment for all including young people and vulnerable adults. A Caring Environment is one:

- In which the health, safety and welfare of young people has been assessed and catered for.
- In which staff are alive to the possibility of abuse and take measures to prevent that possibility.
- Where there is a sound and known reporting system for any incident.
- Where staff take reasonable and practical precautions to avoid any suspicions of abuse being brought against them.

## **Child Safeguarding Procedures**

Where under-18s are concerned there are statutory responsibilities for any organisation to follow regarding the safety of young people. The College has a Designated Safeguarding Officer to be the lead person with regard to child

safeguarding issues. At the Co-operative College the Designated Safeguarding Officer is The School and Youth Programmes Manager.

All College staff must contact the Designated Safeguarding Officer or the Chief Executive and Principal if they have any cause to believe a student or young person involved in any activity in the College, covered by this policy is in any way at risk. The Designated Safeguarding Officer will follow the relevant procedures.

## **Procedures**

Records will be kept of all such incidents and their outcomes and held by the Designated Safeguarding Officer in accordance with the Data Protection Act.

Adults may have access to confidential information about children and young people in order to undertake their responsibilities. In some circumstances they may have access to or be given highly sensitive or private information. These details must be kept confidential at all times and only shared when it is in interests of the child to do so. Such information must not be used to intimidate, humiliate, or embarrass the child or young person concerned.

If an adult who works with children is in any doubt about whether to share information or keep it confidential he or she should seek guidance from a senior member of staff or nominated child protection person. Any actions should be in line with locally agreed information sharing protocols.

The storing and processing of personal information about children and young people is governed by the Data Protection Act 1998. Employers should provide clear advice to adults about their responsibilities under this legislation.

Whilst adults need to be aware of the need to listen and support children and young people, they must also understand the importance of not promising to keep secrets. Neither should they request this of a child young person under any circumstances.

Additionally, concerns and allegations about adults should be treated as confidential and passed to a senior manager without delay.

All staff should be aware that in accordance with statutory requirements where child safeguarding issues are involved, it is not possible to offer confidentiality to a person under 18 as any disclosures must be reported.

When dealing with vulnerable adults, the same principles apply, as above. Where possible the College will identify vulnerable adults and ensure that there are appropriate support measures in place. This is most likely to be when the student presents to, or is referred to, and clearly has mental health difficulties or a disability that puts them into the legal definition of 'vulnerable'.

Any member of staff across the College with concerns regarding an adult student whom they believe or know to be vulnerable must contact the Designated Safeguarding Officer.

## **Role of the College's Child and Vulnerable Adult Safeguarding Officer**

The role of the Designated Safeguarding Officer is:

- To receive information about events that are planned in the College that may involve young people or vulnerable adults, and plans that indicate how safeguarding will be covered.
- To receive information from any employees, associates and volunteers children, parents or carers who have child safeguarding concerns and record it.
- To assess the information promptly and carefully, clarifying and obtaining more information about the matter as appropriate.
- To consult initially with a statutory child safeguarding agency to test out any doubts or uncertainty.
- To make a formal referral to a statutory child safeguarding agency or the police
- To record statements from any member of staff who feels that a young person has indulged in inappropriate behaviour or made sexually suggestive comments or approaches.

## **Reporting and Monitoring Procedures**

All staff, contractors and volunteers are reminded of the offence of abuse of positions of trust under sections 16 to 19 of the Sexual Offences Act 2003, which makes it an offence for a person aged 18 or over intentionally to behave in certain sexual ways in relation to a child aged under 18, where the person aged 18 or over is in a position of trust defined as looking after a child aged under 18 who is receiving education at an educational institution and the child aged under 18 is receiving, and person aged 18 or over is not receiving, education at that institution. A person 'looks after' a child in this context if he/she is regularly involved in caring for, training, supervising or is in sole charge of a child or children

All members of staff working closely with children have to be alert to possibilities of abuse and any concerns about the behaviour of any adult with respect to that child should be reported to the Designated Safeguarding Officer who will decide what further action to take. It is the duty of staff to inform only not to investigate – this is the role of the Police and Social Services. If staff, in the course of their work at the College, have a safeguarding issue brought to their notice, this must be treated as a

priority over all other work. Guidance with regard to a specific incident may be obtained from the Designated Safeguarding Officer.

An oral, and then written report should be provided to the Designated Safeguarding Officer who will keep a confidential record of any such incidents.

### **1. Allegations of abuse or inappropriate behaviour involving staff**

Where an allegation of inappropriate behaviour, abuse or neglect is made against a member of staff (occurring in the course of their work), the College, in accordance with the College's employment procedures, will carry out a full investigation in to the circumstances before any action is taken. It may be necessary to alter the working arrangements for the individual until this is concluded.

Allegations involving a member of staff and a person under-18 or a vulnerable adult should be reported to the Chief Executive and Principal and to the Designated Safeguarding Officer. Consideration will be given as to whether the situation falls within the definition of abuse (see paragraph 7).

### **2. Training**

In accordance with good practice the College will ensure that the Designated Safeguarding Officer and other staff likely to be in regular contact with under-18s and vulnerable adults receive appropriate training. The following topics must be covered:

- a. Health and safety issues
- b. Handling a disclosure
- c. Reporting an allegation
- d. Confidentiality
- e. Code of Practice and Code of Behaviour

### **3. Managing Allegations Against Staff**

The College will also provide information to raise awareness to ensure that all staff understands what to do if a student or visitor covered by this policy discloses abuse or any other safeguarding issue.

It is important that all adults working with children understand that the nature of their work and the responsibilities related to it, place them in a position of trust. This practice guidance provides clear advice on appropriate and safe behaviours for all adults working with children in paid or unpaid capacities, in all settings and in all contexts. The guidance aims to:

- Keep children safe by clarifying which behaviours constitute safe practice and which behaviours should be avoided.
- Assist adults working with children to work safely and responsibly and to monitor their own standards and practice.
- Support managers and employers in setting clear expectations of behaviour and/or codes of practice relevant to the services being provided.

- Support employers in giving a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken.
- Support safer recruitment practice.
- Minimise the risk of misplaced or malicious allegations made against adults who work with children and young people.
- Reduce the incidence of positions of trust being abused or misused.

Employers should be familiar with, and know how to access, their Local Safeguarding Children's Board's policy and procedures for managing allegations against staff.

#### **4. Suspension**

Suspension is a neutral act and it should not be automatic. If the Police or Children's Social Care are planning to make enquiries or investigate, or have already done so, then the LADO will canvas their views on the issue of suspension and then inform the employer. The power to suspend is vested in the employer alone.

There could be an option for redeployment to a post where there would be no contact with children. Suspension should be considered in any case where:

- There is cause to suspect a child is at risk of significant harm.
- The allegation warrants investigation by the Police.
- The allegation is so serious that it might be grounds for dismissal.

#### **5. Resignations and Compromise Agreements**

All allegations should be followed up regardless of whether the person involved tenders his or her resignation, or ceases to provide their services. Every effort should be made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to co-operate with the process.

#### **6. Compromise agreements**

Compromise agreements; this is where a person agrees to resign without any disciplinary action and both parties agree a form of words to be used in any future reference; this arrangement **must not** be used in cases involving the management of allegations.

In any event such an agreement will not prevent a Police investigation where appropriate, nor can it override an employer's statutory duty to make a referral to the Protection of Children Act List or DfES List 99, where circumstances require that action.

#### **7. Whistle blowing**

Whistle blowing is the mechanism by which adults can voice their concerns, made in good faith, without fear of repercussion. Each employer should have a clear and accessible whistle blowing policy that meets the terms of the Public Interest

Disclosure Act 1998. Adults who use whistle blowing procedure should be made aware that their employment rights are protected.

Adults should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children may be at risk.

This means that organisations should:

- Ensure they have appropriate whistle-blowing policies in place
- Ensure that they have clear procedures for dealing with allegations against staff which are in line with their Local Safeguarding Children Board's procedures.

This means that adults should:

- Report any behaviour by colleagues that raises concern regardless of source.

### **8. Sharing Concerns and Recording Incidents**

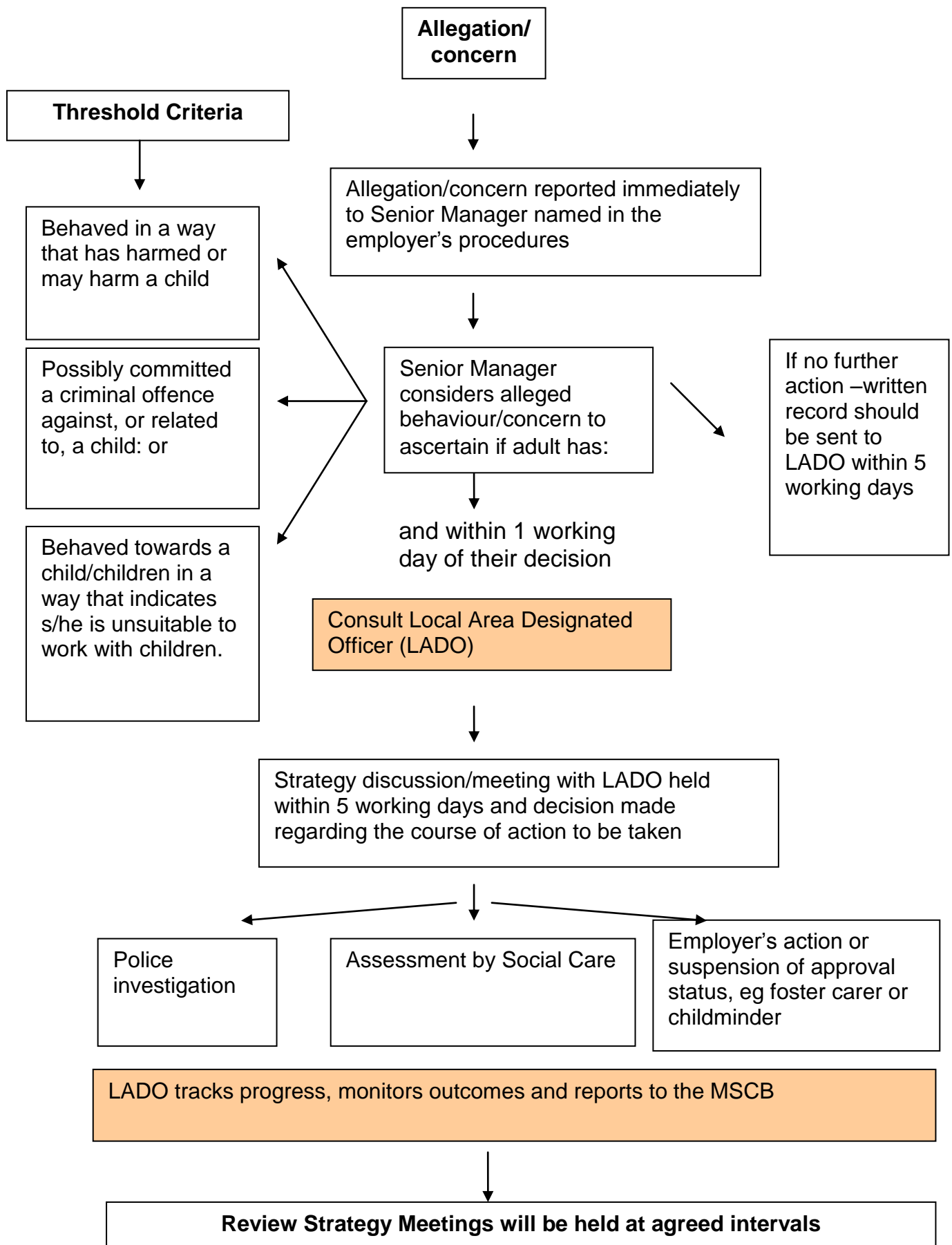
Individuals should be aware of their organisation's child protection procedures, including procedures for dealing with allegations against adults. All allegations must be taken seriously and properly investigated in accordance with local procedures and statutory guidance. Adults who are the subject of allegations are advised to contact their professional association.

In the event of any allegation being made, to someone other than a manager, information should be clearly and promptly recorded and reported to a senior manager without delay.

Adults should always feel able to discuss with their line manager any difficulties or problems that may affect their relationship with children and young people so that appropriate support can be provided or action can be taken.

It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of adults working with or on behalf of children and young people.

See chart below:



## 9. Media Relations

For any College activity involving young people, parents or guardians must be given the opportunity to refuse permission for photographs, videos or other images to be made of their children and for the children to be interviewed by press, broadcasters or other media.

Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Best practice should be followed in respect of the use of pictures on the internet, such as that provided in the BECTA guidance available at:

[http://schools.becta.org.uk/index.php?section=is&catcode=ss\\_to\\_es\\_pp\\_sw\\_03&rid=9960](http://schools.becta.org.uk/index.php?section=is&catcode=ss_to_es_pp_sw_03&rid=9960)

Adults need to remain sensitive to any children who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings.

This means that adults should:

- Be clear about the purpose of the activity and about what will happen to the images when the activity is concluded.
- Be able to justify images of children in their possession.
- Avoid making images in one to one situations or which show a single child with no surrounding context.
- Ensure the child/young person understands why the images are being taken and has agreed to the activity and that they are appropriately dressed.
- Only use equipment provided or authorised by the organisation.
- Report any concerns about any inappropriate or intrusive photographs found.
- Always ensure they have parental permission to take and/or display photographs.

This means that adults should not:

- Display or distribute images of children unless they have consent to do so from parents/carers.
- Use images which may cause distress.
- Use mobile telephones to take images of children take images 'in secret', or taking images in situations that may be construed as being secretive.

It is not appropriate for adults to take photographs of children for their personal use.

### **10. Health and Safety**

All users of College Services must be made aware of Health and Safety requirements and be prepared to abide by them.

### **11. Code of Practice for Staff**

All staff must be familiar with the College's Code of Practice for Staff attached as Appendix A

### **12. Code of Behaviour for Young People**

All staff must be familiar with the College's Code of Behaviour attached as Appendix B. Parents/carers of children participating in College activities must be made aware of the Code of Behaviour.

### **13. Data Safeguarding**

It should be noted that although technically a "child", consent is still required from young people in the same way as for an adult with regard to matters of data protection.

## **Review**

This policy and procedures will be regularly monitored and reviewed:

- In accordance with changes in legislation and guidance on the safeguarding of children and vulnerable adults or any changes within the College.
- Following any issues or concerns raised about the safeguarding of children or vulnerable adults within the College.
- In all other circumstances, at least annually.

## **Safeguarding Children and Vulnerable Adults Policy Appendix A**

### **Code of Good Practice for Staff, Associates and Volunteers**

The following guidelines are intended to be a common sense approach that both reduce opportunities for the abuse of young people and vulnerable adults and help to protect staff, students and volunteers from any false allegation.

#### **You SHOULD:**

- Treat all young people and vulnerable with respect and respect their right to personal privacy.
- Ensure that, whenever possible, there is more than one adult present during activities or that you are within sight or hearing of others.
- Exercise caution when discussing sensitive issues with children or vulnerable adults.
- Exercise caution in initiating any physical contact with a young person or vulnerable adults.
- Operate within the guidance offered by this Code.
- Challenge all unacceptable behaviour and report all allegations or suspicions of abuse.
- Keep parents fully informed of all anticipated activities.

#### **You should NOT**

- Spend excessive time alone with young people or vulnerable adults away from others.
- Take young people or vulnerable adults alone in a car journey.
- Take young people or vulnerable adults to your home.
- Engage in physical or sexually provocative games including horseplay.
- Allow or engage in inappropriate touching of any form.
- Make over-familiar or sexually suggestive comments or approaches to a young person or vulnerable adult.
- Enter changing rooms or bedrooms that are assigned to the opposite sex unless there is an emergency.
- Let allegations, over familiar or sexually suggestive comments or approaches made by a young person or vulnerable adult go unchallenged or unrecorded.
- Do things of a personal nature that young people or vulnerable adults can do for themselves.
- Take photographs, videos or other images of a young person without the express permission of their parents.

## **Safeguarding Children and Vulnerable Adults Policy Appendix B**

### **Code of Behaviour for Young People and Vulnerable Adults**

The Co-operative College is an educational charity for the co-operative movement. All people (including those under the age of 18) visiting the College or taking part in its activities, either privately or with an organised group, are expected to respect the College, its staff, students and its buildings.

The College seeks to offer visitors a safe and caring environment. In return, you must:

- Respect the rights and dignity of each other and of the staff.
- Respect the rules of the College which include: Purchase, sale and consumption of alcohol, recreational/nontherapeutic drugs and substances for abuse is forbidden.
- Smoking is banned in all buildings at the College and is only allowed outdoors.
- All rules and safety/emergency procedures such as fire drills must be followed.
- Participants in organised events are expected to attend all timetabled activities unless they have been granted specific leave of absence.
- Inappropriate physical intimacy among participants is not permitted.
- Serious incidents of misbehaviour such as fighting, racial/sexual abuse, damage to property, indecent language and failure to obey instructions will normally lead to expulsion from the activity and the College.