

# **SAFEGUARDING OF YOUNG PEOPLE & VULNERABLE ADULTS POLICY**

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<b>Approved by:</b>	<b>Board of Directors</b>
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## 1. Introduction

This policy states the responsibilities of Elite Pathways in relation to Safeguarding children and vulnerable adults, in response to current Legislation and guidance.

## 2. Scope

This policy applies to all learners and employees of Elite Pathways.

The purpose of this policy is to make explicit the expectation of Elite Pathways for all students and parents in managing learner absence.

Breaches of the behaviour policy will be managed through the Elite Pathways Disciplinary policy and procedure.

This policy underpins Elite Pathway's core values and will be used objectively and free from discrimination in accordance with the Elite Pathways Equality and Diversity policy.

## 3. Definitions

**Safeguarding** – Protecting children and vulnerable adults from maltreatment; Preventing impairment of children's and vulnerable adults' health or development; Ensuring that children and vulnerable adults are growing up in circumstances consistent with the provision of safe and effective care; and Taking action to enable all children and vulnerable adults to have the best life-chances.

**Student** – the term 'student' for this policy covers students of Elite Pathways who study at College or Club. The policy also covers those students who are on placement as part of their Apprenticeship or Work Based Learning programmes.

**Child** – in accordance with The Children Act 1989, and therefore in accordance with law, Elite Pathways shall regard any young person below the age of 18 as a child.

**Vulnerable Adult** – if a person aged 18 or over who may be in need of community care services by reason of mental or other disability, age or illness and who is, or may be unable to take care of himself or herself, or unable to protect himself or herself against significant harm or serious exploitation. Vulnerability can apply to a wide range of disabilities and situations including those adults at risk owing to their caring role or family responsibilities, the old and frail. It can include those who are vulnerable due to other circumstances such as being an asylum seeker. In addition it can include those under a probation order or those who may be experiencing problems due to alcohol or drugs.

## 4. Policy Statement

Elite Pathways is committed to a positive policy of equal opportunity and strives to support students wherever possible. It wishes to create an environment that is safe and welcoming to all students. It

believes that Safeguarding is an essential element and aims to promote a positive culture where students are able to learn and develop. It recognises that it has a duty of care to students, staff and stakeholders.

Elite Pathways endeavours to ensure that their wellbeing and health and safety is a priority.

## 5. Creating a Safe Environment

To create a safe environment for students Elite Pathways will;

- Operate a 'zero tolerance' approach to weapons, drugs, alcohol and bullying, including cyber or electronic bullying, in all forms
- Have clear procedures for following up issues of conduct for both staff and students
- Continually review the safety and security in all remote venues
- Ensure all staff, including volunteers, have appropriate DBS and other checks
- Implementation of the Relevant Criminal Convictions Policy for all students

## 6. Provide Training and Support for Staff

All staff will be given up to date information on Safeguarding through;

- A clear induction programme, which includes Safeguarding
- Taking part in appropriate Safeguarding Training, in line with specific job role
- Being made aware of Elite Pathway's Policy and Procedures on Safeguarding
- Being offered other relevant suitable training / information, as and when appropriate

## 7. Positive Promotion

Safeguarding, in its broadest sense, will be promoted positively throughout Elite Pathways in a number of ways, including;

- Policy and Procedures available on SharePoint for stakeholders, such as parents/guardians
- Tutorials, including links to 'Positive to Youth' (Previously Every Child Matters)
- Student Induction
- Health and Wellbeing, Anti Bullying, E-Safety promotion and information, including sexual health and drugs and alcohol awareness throughout the academic year
- Ensure Safeguarding is included within the 'Learner Voice' process.

## 8. Support for Students

Students will be offered support through a number of mechanisms including;

- Safeguarding Officer will deliver timely interventions or continuous support to our most vulnerable learners
- Additional Support for students with learning difficulties / disabilities and/or medical needs
- Considering the needs of the individual and responding as far as possible
- Relevant Criminal Conviction (RCC) Risk Assessments – new/re- enrolling applicants
- Access to the Safeguarding Officer through the VLE (to follow)

## 9. Elite Pathways Safeguarding

Elite Pathway's Safeguarding Children and Vulnerable Adults Committee will oversee all aspects of Safeguarding within the organisation by;

- Meeting a minimum of 3 times per year to review developments and monitor activities
- Develop and implement an annual action plan to ensure there is a full and consistent approach to Safeguarding by all College's and Clubs
- Monitor volume and types of disclosures annually.
- Update and review the Safeguarding Policy and Procedures annually

## 10. Legal Framework

The Children Act 1989 placed a duty on local authorities to investigate situations where a child is at risk of significant harm. Schools, Colleges and Providers had a legal obligation to work with investigating agencies acting on behalf of children in need. Guidance was published in 'Safeguarding Children in Education' (2004). It set out the requirements to provide a safe learning environment, identify young people suffering, or likely to suffer, significant harm and take appropriate action in full partnership with other local agencies. It encompassed wider issues such as health, safety, drug/substance abuse and bullying as well as the contribution made to safeguarding in relation to individual children, and underpinned our common law duty of care.

This was replaced and extended in January 2007 by 'Safeguarding Children and Safer Recruitment in Education', which includes more specific guidance (including some statutory requirements) relating to the recruitment and vetting of staff.

The responsibility for making sure appropriate arrangements are in place lies with Elite Pathways. Staff members are responsible for carrying out their duties in compliance with the arrangements set out by Elite Pathways.

Elite Pathways is not an investigating agency. This function is carried out by local authority Children's Services, or other agencies with statutory powers. The Children Act 1989, and subsequent legislation and guidance, are concerned with the emotional, physical or sexual abuse or neglect of children, defined as under the age of 18. However, it is recognised that children acquire degrees of legal capacity (for example, the ability to give informed consent) and maturity prior to their 18th birthday, and also that there are adults over 18 who continue to be vulnerable due to a learning difficulty and/or disability.

This policy and related procedures are driven by the following legislation and guidance:

- Children Act 1989
- Children Act 2004
- Department for Education 2011
- Education Act 2002 (s175)
- Equality and Diversity Act 2010
- Safeguarding Vulnerable Groups Act 2006
- Working Together to Safeguard Children (DCSF 2010)
- Safeguarding Children and Safer Recruitment in Education (DfES 2006)
- Guidance for Safer Working Practice for Adults who Work with Children and Young People in Education Settings (DCSF 2009)

- Safer Practice, Safer Learning (NIACE 2007)
- Children's Plan 2007
- DfES Safeguarding Children in Education Excellence Gateway – Safeguarding, 2009
- Vetting and Barring Scheme – Update. Independent Safeguarding Authority, 2009
- FGM Act 2003
- Keeping Children Safe in Education 2016

## 11. Definitions of Abuse:

Throughout this document the following definitions apply:

**Child abuse** - may be physical, sexual or emotional abuse, or neglect

**Significant harm** - ill treatment or the impairment of health or development (compared with the health or development which might be expected of a similar child)

**Physical abuse** - actual or likely physical injury to a child, or failure to prevent injury. May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer feigns symptoms of, or deliberately causes, ill health to a child they are looking after.

**Sexual abuse** - actual or likely sexual exploitation of a child, including prostitution. Involving forcing or enticing a child or young person to take part in sexual activities whether or not a child is aware of what is happening. The activities may involve physical contact including penetration or non-penetrative acts. For example it may also include involving the child looking at or being involved in the production of, pornographic material or watching sexual activities, or encouraging the child to behave in sexually inappropriate ways. Can include grooming a child in preparation for abuse.

**Emotional abuse** - emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to the child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. Age or developmentally inappropriate expectations being imposed on children, causing children frequently to feel frightened, or the exploitation or corruption of children will also constitute emotional abuse. This may also include overprotection and limitation of exploration and learning, or participating in normal social interaction. It can include seeing or hearing ill treatment of another person. It may include serious bullying, including cyber-bullying. It may include not giving the child opportunities to express their views, deliberately silencing them, or making fun of what they say or how they communicate.

**Neglect** - neglect is 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 or development such as failing to provide adequate food, shelter and clothing, medical care or treatment or neglect of, or unresponsiveness to, a child's basic emotional/physical needs. It can include not protecting a child from emotional harm or danger.

**Risk to self and/or others** – This may include but is not exclusive to self-harm, suicidal tendencies or potential risk of harming others, which may or may not include children. This may be as a

consequence of an individual experiencing a significant level of personal, emotional trauma and/or stress.

**Domestic Violence** – can be physical, emotional, sexual, neglect. This category also covers Forced Marriages and honour based violence.

**Radicalisation** – vulnerable individuals being targeted for recruitment into extremism.

**Safeguarding** - includes promotion of health and well-being as well as protection of specific individuals

**Designated person(s)** - the staff member(s) designated by the Managing Director as having responsibility for liaising with the investigating agency.

## Designated staff

The designated persons with responsibility for safeguarding children are:

Stuart Simpson – Director of Quality (Designated Safeguarding Officer)

Duncan Evans – Director (Safeguarding Officer)

Richard Brady – Director (Safeguarding Officer)

The Board of Directors are responsible for ensuring Elite Pathways has policies and procedures in place, which are considered annually by the Board.

## 12. Responding to a disclosure or suspicion of abuse

Any member of staff who has knowledge of, or a suspicion that, a child is or has been suffering significant harm must refer their concern to a designated member of staff as soon as possible but within 24 hours at the latest. A completed concern form and /or body map must be passed to the Safeguarding Officer any information must not retain any written information. All allegations or suspicions must be taken seriously. The student must be advised that this information cannot be kept confidential and will be passed on to the designated member of staff in Elite Pathways in the first instance.

The designated officer who receives the allegation or disclosure of abuse should make an immediate written record of the conversation, including the following information:

- date and time of report
- your name and name of complainant
- name and DOB of child alleged to have been abused
- nature of alleged abuse
- description of any injuries observed, if any
- any other information given, including siblings if relevant (their full names and DOB if possible)
- confirmation that the student has been advised of the next steps

### 13. Questions should be kept to the minimum required for clarity, and leading questions must be avoided.

If uncertain about any situation, advice (which should be recorded) should be sought from relevant organisations, for example from Police, Children's Services, Adult Care Services etc.

If abuse is suspected but not disclosed, it may be appropriate to remind the student about external help lines.

### 14. Safeguarding Students aged 18+

#### Definitions of 'vulnerable adult'

A vulnerable adult is a person aged 18 years or over who may be unable to take care of themselves or protect himself or herself from harm or exploitation. People who fall into the vulnerable category include those with learning disabilities or mental health problems. Adults may also be classed as being vulnerable if their situation is complicated by additional factors such as:

- Physical frailty
- Chronic illness
- Sensory impairment
- Challenging behaviour
- Social problems
- Emotional problems
- Poverty
- Homelessness
- Substance misuse
- Age-related frailty

Vulnerable adults enrolling on courses may have a named advocate who should be identified at interview stage.

### 15. Definitions of abuse against vulnerable adults

**Physical abuse** - includes hitting, slapping, pushing, kicking, rough handling or unnecessary physical force, either deliberate or unintentional, misuse of medication, restraint or inappropriate sanctions.

**Sexual abuse** - includes rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent to, or was pressured into consenting to. Sexual abuse can occur between people of the same sex and it can also occur within a marriage or any long-term relationship.

**Psychological abuse** - includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse or isolation.

**Financial or material abuse** - includes theft, fraud, exploitation, pressure in connection with wills, property, enduring power of attorney, or inheritance or financial transactions, or the inappropriate use, misuse or misappropriation of property, possessions or benefits.

**Neglect and acts of omission** - includes ignoring or withholding medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition, clothing and heating.

**Discriminatory abuse** - includes racist, sexist, or discrimination based on a person's disability.

**Self-neglect** - is not a direct form of abuse but staff need to be aware of it in the general context of risk assessment/risk management and to be aware that they may owe a duty of care to a vulnerable individual who places him/herself at risk in this way.

**Radicalisation** – vulnerable individuals being targeted for recruitment into extremism.

## 16. What to do if you suspect a vulnerable adult is being abused

Any member of staff who has knowledge of, or a suspicion that, a vulnerable adult student is or has been suffering abuse must refer their concern to the Safeguarding Officers as soon as possible by telephone then followed up in writing. All allegations or suspicions must be taken seriously. The student must be advised that this information cannot be kept confidential and will be passed on to the Safeguarding Officer in the first instance.

## 17. Safeguarding students aged 16 and 17

These students are covered in law by the Children Act. This means that allegations or suspicions of abuse must be taken seriously by Elite Pathways and acted upon according to the procedure. Concerns or suspicions must be referred to a designated staff member even if the student's stated wishes are to the contrary, this must be done by telephone and then followed up in writing. They will seek advice from the appropriate agency and agree any further action, which may be necessary. This may include a formal referral.

Students aged 16 and 17 are encouraged to report the abuse, or give consent for a report to be made, to an investigating agency (usually the Children's Services in the area where the student lives). However, they should be made aware that it may be necessary to report the abuse even without their consent.

The following issues are relevant:

- what are the wishes of the student?
- are younger siblings involved?
- is a criminal act being committed?
- is there risk of significant harm?

## 18. Apprenticeships & Work Based Learning

Elite Pathways will hold Safeguarding Policies and details of designated persons for all employers. All learners on Work Based Learning programmes receive an induction, which includes raising awareness of Elite Pathway's commitment towards Safeguarding, details of the support services that can be offered and contact details for the Safeguarding Officers. The understanding of all aspects of Safeguarding and safe working practices is checked at each review and the opportunity to discuss any issues is given.



Assessments are made to ensure that the learners well being is safeguarded by the work placement team. Elite Pathways has arrangements in place to ensure that, prior to work related work commencing:

- Pre-placement Health and Safety checks of employers premises and health and safety management arrangements are complete, including insurance details
- Consents (parental / guardian / learners) are obtained
- Employers are made aware of relevant Elite Pathways policies
- The requirements for DBS checks are assessed and the relevant processes undertaken where required

## 19. Confidentiality

A good working relationship between staff and students depends to a large extent on the establishment of trust. This may be described as a 'confidential relationship'. However, guarantees of absolute confidentiality should not be given. If a student discloses abuse to a member of staff, it is important that the boundaries of confidentiality and the need to pass on that information are explained to the student. It is often easier to explain to the student that you have a responsibility to pass on information on certain matters than to get into a situation where you break a confidence.

## 20. Safe Recruitment of Staff

Elite Pathways has a Safer Recruitment Policy, which follows good practice guidelines. A policy has been approved by the Board that sets out guidelines for DBS requirements. Where an enhanced DBS disclosure is not available prior to commencement of employment by Elite Pathways, in exceptional circumstances the Board can agree a start.

## 21. Allegations against Staff

Elite Pathways has in place a Code of Conduct Policy for staff, which sets out clearly its expectations in terms of staff behaviours and provides staff with information on keeping themselves safe. Nevertheless, allegations against staff may occur.

It is a criminal offence for a person over the age of 18, in a position of trust, to enter into a sexual relationship with any student under 18 years old, even if the relationship is consensual.

If allegations are made against a member of staff, HR must be informed immediately and relevant disciplinary procedures maybe invoked. If the allegation concerns one of the Safeguarding Officers a member of the Board will be appointed to investigate as per Elite Pathway's policy.

If a student makes a malicious allegation about a member of staff (or others) this may be dealt with under Elite Pathway's student disciplinary Policy.

## 22. Support for staff

This policy document is available on SharePoint. Where a member of staff finds a disclosure particularly distressing, they may wish to access the counselling services, this can be done by contacting the HR Department.

Elite Pathways have an open door policy for any staff who wish to discuss their concerns, staff will need to be mindful that Elite Pathways cannot as with students give absolute confidentiality to any disclosures.

## **23. Related Policies & Procedures**

Elite Pathway's Safeguarding Policy Links to the following:

Whistle Blowing Policy

Grievance Procedure

Disciplinary Procedure

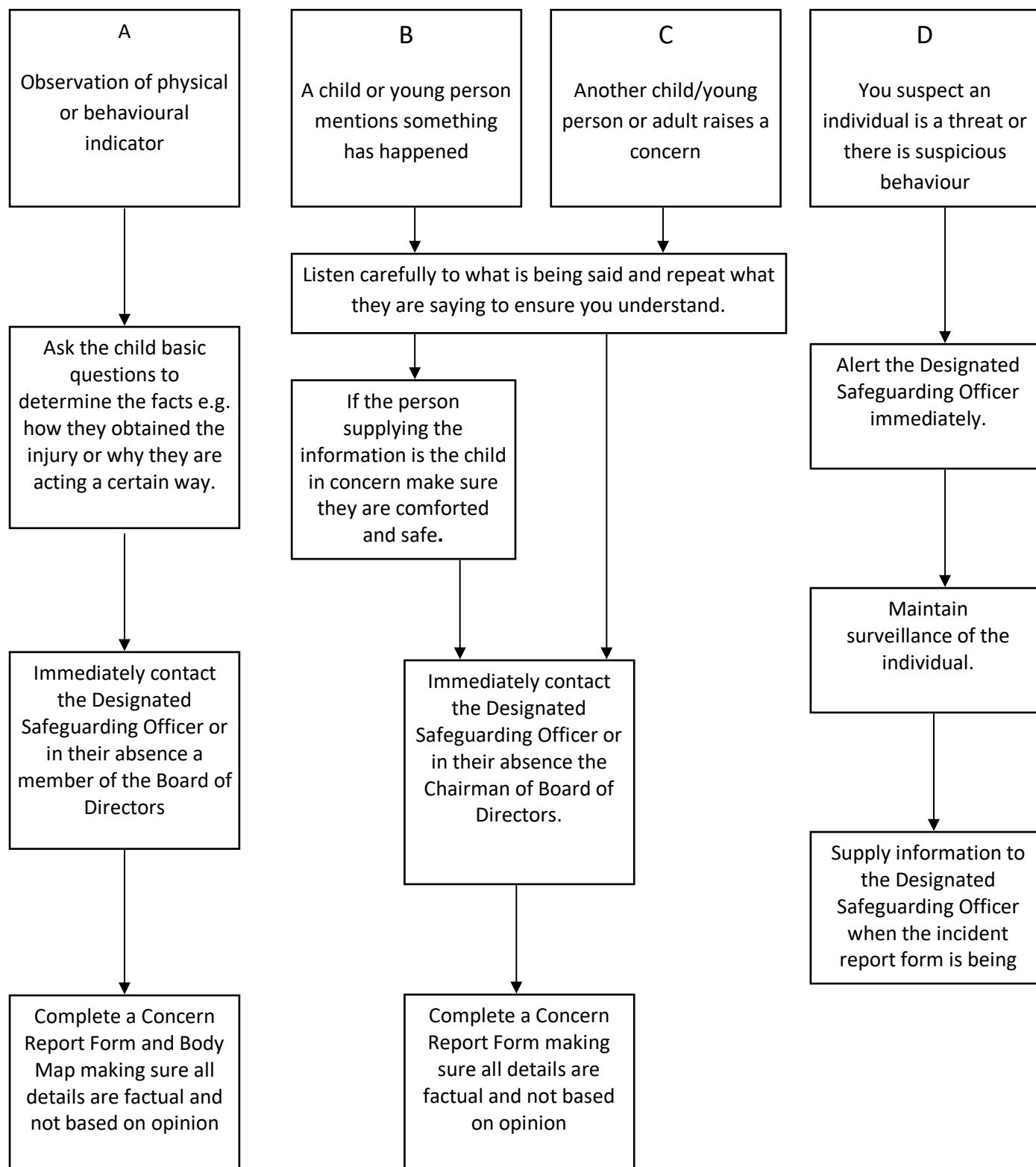
Appeals Procedure

Health & Safety

eSafety Policy

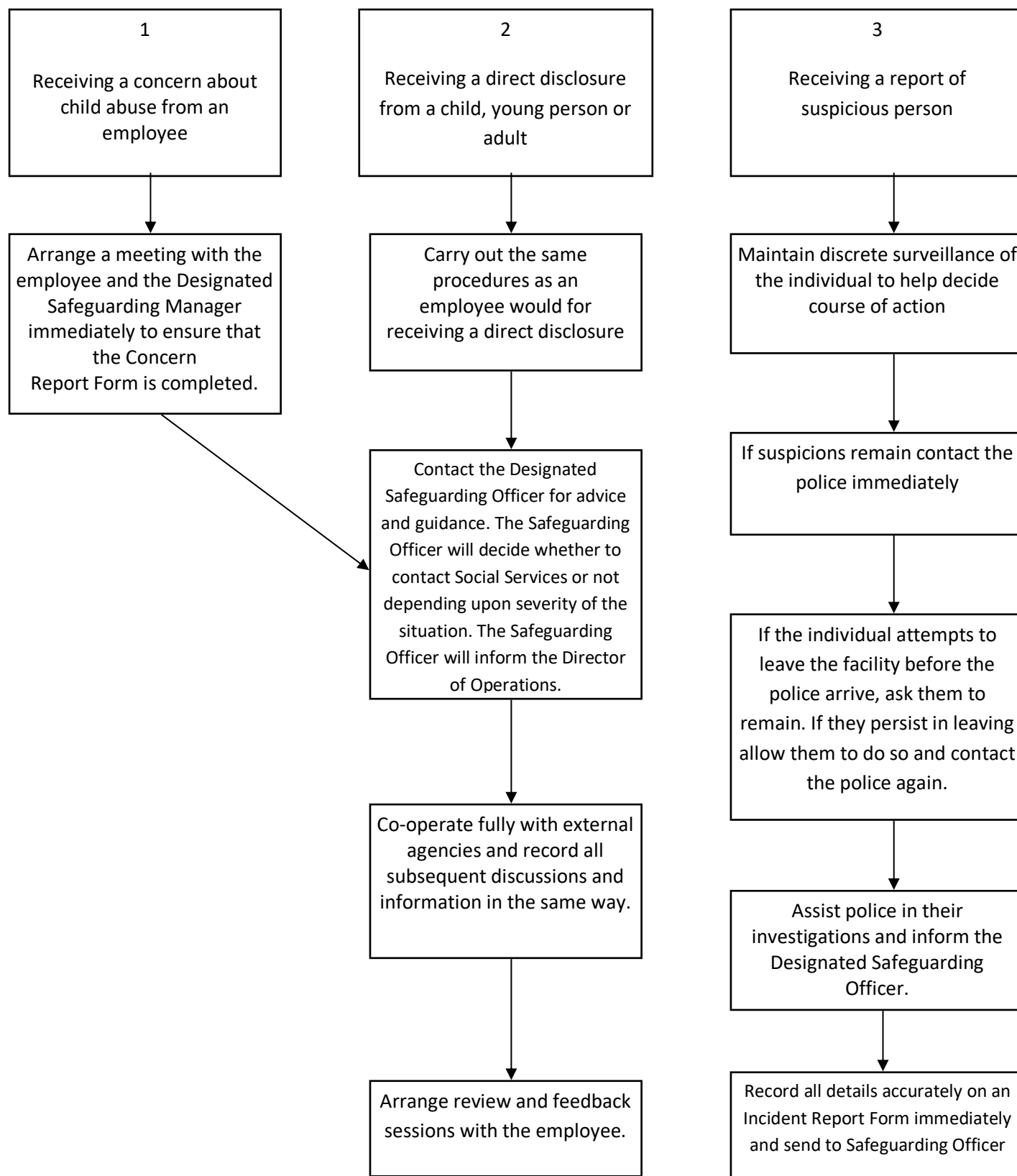
## Appendix 1

What to do if you have a Concern? Flow Chart of Procedures for Employees to Follow in the Event of a Concern



## Appendix 2

Flow Chart of Procedures for Follow for Managers



## Appendix 3

### Our promise to learners

Elite Pathways is committed to making sure the learning experience will be safe, enjoyable and stimulating. We all believe that you have a right to feel safe and comfortable whilst you are with our staff.

We promise to:

- Make you feel welcome
- Always think about your needs as the main consideration
- Treat all people fairly
- Make sure that all our staff are competent and vigilant
- Make our learning activities and your learning programme as safe and engaging as possible
- Listen to what you tell us
- Ensure you have a positive learning experience with confidence in yours and our abilities.

## Appendix 4

Standards of behavior expected by Elite Pathways staff

Do:

- Approach any young person apparently in distress and ask if you can help.
- Seek assistance from colleagues or supervisors where appropriate.
- Be aware of the possibility of danger from others and question situations that you find suspicious.
- Act professionally in all matters.
- Be aware of appearances and avoid any situations, which might appear compromising.
- Report any allegation (even if this is just a suspicion) of abuse or inappropriate conduct immediately to your line manager.
- Be vigilant and put learner safety and wellbeing first at all times (without compromising own safety)

Do not:

- Engage in any "rough and tumble" or other horseplay.
- Physically restrain a young person except in exceptional circumstances (e.g. to prevent injury, damage to property or the collections or to prevent theft) and even then be careful to use only the minimum restraint necessary.
- Make sexually suggestive comments to any young person.
- Subject any person to inappropriate images or content that might be deemed pornographic.
- Use foul or abusive language to any person and especially not to or within earshot of a child or young person.
- Physically assault any other person regardless of age.
- Allow or engage in inappropriate touching of any kind. The main principles of touch are:
- Do not touch a young learner unless required to do so in a safe environment such as health and safety, first aid training and within clear observation from other responsible adults – only unless the member of staff have the consent of the young person and if they are fully qualified by an approved qualification.
- Do things of a personal nature for children that they can do for themselves or that a parent/leader can do for them.

It is strongly recommended that staff do not, except in emergency situations:

- Go into the toilet with a young person or child.
- Spend time alone with a child or young person on his/her own. If you are in a situation where you are alone with a child or young person, make sure you can be clearly observed or seen by others. You should, wherever possible, also avoid being alone in a vehicle with otherwise unaccompanied children or young people.

## Appendix 5

### Guidance notes on use of photography

It will frequently be the case that photographs are taken of children and young people participating in education programmes, work experience and voluntary activities and that these will be used for publicity purposes. Elite Pathways is aware that such pictures may be vulnerable to abuse by unscrupulous persons. Therefore, if a photograph of a single child or a group of children is to be used for material which may be viewed by the public, written permission will be sought from the child's parents / guardians directly where appropriate.

Sometimes children will be asked to 'pose' for publicity photographs. In this case, parents will be asked for written permission to use the photographs in any appropriate way in perpetuity. Any photographs taken will be labeled and dated.

Visitors and other members of the public who appear to be taking photographs in inappropriate circumstances should be challenged where there are reasonable grounds for suspicion.