**Safeguarding Policy**

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Date: March 2019

Version: 4

**SAFEGUARDING POLICY**

1. **STATEMENT OF INTENT**

Addysg Oedolion Cymru | Adult Learning Wales is committed to providing an environment where everyone is respected and valued and can feel safe and secure, and holds as one of its highest priorities the health, safety and welfare of all people involved in its courses or activities.

Addysg Oedolion Cymru | Adult Learning Wales recognises its particular responsibility to safeguard the wellbeing of learners who are enrolled on its courses or activities, and will ensure that there are appropriate arrangements in place to fulfill this responsibility effectively.

Addysg Oedolion Cymru | Adult Learning Wales seeks to ensure that its policy and procedures comply with statutory duties, reflect guidance and good practice in safeguarding, and that safeguarding arrangements are proportionate and based upon common sense.

Addysg Oedolion Cymru | Adult Learning Wales will work in partnership with other local/national agencies to put in place appropriate procedures for reporting, making referrals, and accessing training and specialist support as and when required.

Addysg Oedolion Cymru | Adult Learning Wales recognises its particular responsibility to comply with the Counter-Terrorism and Security Act 2015, the Revised Prevent Duty Guidance for England and Wales, July 2015 and best practice in the creation of a “Safe Learning Community”.

**1.1 PREVENT**

Part of the Organisation’s safeguarding duty includes protecting vulnerable individuals from the risk of radicalisation and extremism. This is called the Prevent Duty. Prevent is a government initiative aimed at stopping people becoming involved with (radicalised), or supporting violent extremism.

*What is Radicalisation?*

The government definition is that radicalisation is a process by which an individual or group comes to adopt increasingly extreme political, social, or religious ideals and aspirations that reject or undermine the status quo or reject and/or undermine contemporary ideas and expressions of freedom of choice.

*What is Extremism?*

The government has defined extremism as: “vocal or active opposition to British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs”. The organisation shares and promotes these values across our community.

*British Values, Equality & Diversity:*

Throughout Addysg Oedolion Cymru | Adult Learning Wales we follow governmental principles on British Values, these are:

*Liberty:*

* The freedom to live as you wish and go where you want.
* Helping you to making informed choices.
* Taking responsibility for your choices and exercising them safely.
* Making sure you know your rights.

*Justice – Rule of Law:*

* Fairness in the way people are dealt with.
* Exploring the laws that govern and protect us.
* Understanding the consequences if these rules are broken.
* Considering that these may be different from religious laws.

*Democracy:*

* The belief in freedom and equality between people.
* A broad general knowledge & respect of public institutions and services.
* Helping you to influence decision-making through the democratic process.
* Explaining the advantages and disadvantages of democracy.

*Respect – Mutual Respect:*

* Tolerance of those with different respects and beliefs.
* Understanding how your behaviour has an effect on your own rights and those of others.
* Respecting other people’s differences, other cultures and ways of life.
* Challenging prejudicial or discriminatory behaviour.
1. **SCOPE OF POLICY**

This policy applies to all staff, learners and volunteers with Addysg Oedolion Cymru | Adult Learning Wales and any other individuals who come into contact with the organisaton.

**3.0**  **PURPOSE**

 The purpose of this safeguarding policy is:

* To raise awareness of the need to safeguard.
* To clearly outline organisational and individual responsibilities in identifying and reporting possible cases of abuse along with any concerns regarding Prevent, radicalisation or extremism.
* To provide guidance on a structured procedure within the organisation which will be followed by all staff members in cases of suspected abuse or when there has been a disclosure, or where concerns have been identified relating to regarding Prevent, radicalisation or extremism.
* To develop and promote effective working relationships with other agencies especially the police, social services, Channel and local safeguarding boards.
* To ensure that all employees who have substantial access to children and groups of vulnerable learners have been checked through the Disclosure and Barring Service (DBS) as to their suitability and that serious concerns are reported to appropriate authorities (where checks are permitted).
* To ensure that every member of teaching or learning support staff is registered with the Education Workforce Council which provides reassurance that a registered person has nothing relevant recorded against them which might make them unsuitable to teach learners, in particular, children and young people.
* To provide an environment in which learners feel safe, secure, valued and respected and know that they will be listened to.
1. **RESPONSIBILITIES**

**Safeguarding, Equality and Diversity Group**

The Safeguarding, Equality and Diversity Group is responsible for:

* Reviewing and monitoring the implementation of this policy.
* Reviewing and monitoring the effectiveness of training in relation to this policy.

**Head of Learner Services and Resources**

The Head of Learner Services and Resources is responsible for:

* Ensuring that staff recruitment procedures include appropriate safeguarding checks.
* Ensuring that this policy and procedure are understood and fully implemented by staff and learners.
* Ensuring that all staff, learners, volunteers and governors feel able to raise concerns relating to safeguarding and Prevent and that such concerns are addressed sensitively and effectively in line with the Organisation’s procedures.
* Organising Prevent training for all employees.
* Organising safeguarding training for those staff members who come into contact with vulnerable groups, children and young people.
* Appointing to Safeguarding Officer roles.
* Ensuring that sufficient recourses and time are allocated to the Safeguarding Officers to carry out their duties.

**Safeguarding Officers**

The Designated Senior Person (DSP) with responsibility for safeguarding is the Head of Learner Services and Resources.

Safeguarding Officers are in place at all times. Current Safeguarding Officers are:

* Head of Learner Services and Resources – Cath Hicks, (DL) 02921 678714 (M) 07931 204613
* YCPW Coordinator – Rachel Burton, (DL) 02920 382431(M) 07960 858835
* Regional Manager South East and Central Wales – Jayne Ireland, (DL) 02921 678 725 (M) 07787 423632
* Regional Manager North Wales– Sarah O’Connell Jones (DL) 01248 363940 / 01492536693 (M) 07930 867920
* Regional Manager South West and Mid Wales – Karen Fisher (DL) 01686 610270 / 01792 467791 (M) 07432 881123

There is a designated safeguarding email address which is: safeguarding@adultlearning.wales

The Safeguarding Officers will be available to all staff, volunteers and learners to discuss any concerns, issues or complaints regarding the safety, wellbeing or conduct of learners, volunteers or staff.

**In the event that the Safeguarding Officer for your region or department is not available, please contact an alternative Safeguarding Officer. It is VITAL that concerns are reported as soon as possible.**

The Safeguarding Officers will have access to appropriate training to support them in these roles. They will liaise with the appropriate local and national agencies, contribute to appropriate policies, maintain records and keep confidentiality. They will adhere to and promote this policy within the organisation, and support and/or provide access to support for individuals suffering harm or abuse, and individuals who come into contact with them.

Safeguarding Officers are responsible for:

* Providing advice and support to colleagues on issues relating to safeguarding and Prevent.
* Dealing with individual cases of suspected abuse and/or referring/monitoring cases of suspected abuse.
* Dealing with identified concerns relating to Prevent.
* Keeping a written record of cases and ensuring they are kept confidentially and securely.
* Liaising with external agencies and professionals on safeguarding and Prevent issues and concerns.
* Informing the Disclosure and Barring Service and the Education Workforce Council if a person ceases to work at Addysg Oedolion Cymru | Adult Learning Wales and there are grounds for believing they may be unsuitable to work with vulnerable groups.
* Attending appropriate training in safeguarding and Prevent issues.

Line managers are responsible for:

* Ensuring that this policy and procedure is fully implemented by the staff they line manage.
* Ensuring that all new staff receive a copy of the Organisation’s Safeguarding Policy which includes the name and contact numbers of the Safeguarding Officers and the safeguarding email address.

**Staff members**

It is the responsibility of all staff working within the Organisation to record and report abuse or suspected abuse along with concerns relating to Prevent as quickly as possible, and preferably within 45 minutes of a suspicion being aroused or of a disclosure taking place.

All staff must:

* Behave appropriately towards other members of staff and learners.
* Raise any concerns they might have about suspected abuse along with concerns relating to Prevent to a Safeguarding Officer, no matter how small or trivial these may seem, in accordance with the Organisation’s policy and procedures and within 45 minutes of becoming aware of them wherever possible.
* Promote safe working practices among their peers and challenge poor and unsafe behaviour.
* Ensure they adhere to all health and safety procedures as indicated in the Addysg Oedolion Cymru | Adult Learning Wales Health and Safety Policy.
* Attend training on safeguarding and Prevent when this is made available.
* In the interest of protecting staff and adhering to data protection legislation, personal contact details should not be shared with learners.
* If they feel that the organisation has not dealt with a safeguarding or Prevent issue appropriately, they should contact the relevant body, i.e. the police, adult or child services, the safeguarding board or Channel about their concerns without unnecessary delay.
1. **CONFIDENTIALITY AND CONSENT**

**Confidentiality**

All matters relating to safeguarding learners are confidential. Information will only be disclosed to staff about a learner on a need to know basis.

**Consent - Adults**

In law, it is assumed that adults are capable of giving or withholding consent. If an adult may need protection, we must consider if they are capable of giving consent and, if so, their consent must be sought.

There may be many reasons why an individual may not give consent to the sharing of safeguarding information. They may not trust the police or social services, or they may fear reprisal or damaged relationships with family or the abuser.

If a member of staff has a concern about an adult, they must ALWAYS share these concerns with a Safeguarding Officer. The member of staff should explain to the individual that it is their duty to share their concern with the Safeguarding Officer. In emergency situations, the member of staff should contact the police or relevant emergency service.

The Safeguarding Officer will apply the principle of proportionality to any decisions about sharing information without consent, and decisions will be made on a case by case basis. If a person does not wish for information to be shared about them to outside agencies, their wishes should be respected unless:

* There is a duty to act (i.e. a crime may have taken place); or
* Public interest e.g. another person or people, child or adult are put at risk; or
* The adult lacks the mental capacity to make the decision to share safeguarding information– this must be properly explored and recorded in line with the mental capacity act (please see guidance below).
* The alleged abuser has care and support needs and may also be at risk
* A court order or other legal authority has requested the information
* It is suspected that the adult may be under the undue influence of someone else.

Mental Capacity

The legal definition says that someone who lacks mental capacity cannot do one or more of the following four things.

* Understand information given to them.
* Retain that information long enough to be able to make a decision.
* Weigh up the information available to make a decision.
* Communicate their decision through any possible means such as talking, using sign language or even simple muscle movements such as blinking an eye or squeezing a hand.

The Safeguarding Officer must have a reasonable belief that the individual is unable to make a decision based on the criteria above, and any decision made by the Safeguarding Officer to share safeguarding information can only be made if it is in the best interests of the individual.

**Consent - Children**

Effective sharing and exchange of relevant information between professionals is essential in order to safeguard children. **There is no restriction in the Data Protection Act or any other legislation that prevents concerns being shared between agencies for the purposes of protecting children.**

Wherever possible, consent should be obtained before sharing personal information with third parties, but the public interest in child protection always overrides the public interest in maintaining confidentiality or obtaining consent from families. A child’s safety is the paramount consideration in weighing these interests.

1. **SAFER RECRUITMENT**

In order to recruit to posts safely, Addysg Oedolion Cymru | Adult Learning Wales will seek to recruit using appropriate procedures, safeguards and checks.

We will take up references for all posts and volunteer roles prior to appointment.

We will use Disclosure and Barring Service (DBS) checks to help us to assess suitability where there is eligibility to do so.

Only those roles working directly with children are defined as “regulated activity” and eligible for a DBS with a child list barring check. Roles working directly with adult learners are not classified as “regulated activity” and therefore, we are unable to carry out DBS checks unless the role involves working with vulnerable groups and certain criteria are met. Further information is available from the Human Resources team.

It is Addysg Oedolion Cymru | Adult Learning Wales policy that Disclosure and Barring Service checks are renewed every three years for designated post holders.

All teaching and learner support roles will be subject to the post holder being registered with the Education Workforce Council, which provides reassurance that a registered person has nothing relevant recorded against them which might make them unsuitable to teach learners, in particular, children and young people.

All employees working directly with learners will be expected to complete a ‘self disclosure’ as these posts are exempt from the Rehabilitation of Offenders Act 1974. We will ask all those employees if they have any convictions or cautions that would not currently be filtered by the DBS.

1. **SAFEGUARDING CHILDREN**

**7.1 Forms of child abuse**

There are four main types of child abuse:

• Physical abuse – may involve actions such as hitting, shaking, and burning as well as giving children alcohol, inappropriate drugs or poison. Physical abuse, as well as being a deliberate act, can be caused by an omission or failure to act or to protect.

* Emotional abuse – is a persistent lack of love and affection. A child may be consistently shouted at, threatened or taunted. This can make the child nervous or withdrawn. Other forms of emotional abuse include excessive over protection and unrealistic pressure to succeed. Some level of emotional abuse is involved in all types of ill treatment of children but may occur alone.
* Sexual abuse – involves forcing or enticing the child to take part in sexual activities whether or not the child is aware of; or consents to what is happening. Sexual abuse can involve penetrative acts or fondling. It may also involve non-contact activities such as showing pornographic materials or encouraging children to act in sexually inappropriate ways.
* Neglect – is the persistent failure to meet a child’s basic physical or psychological needs. These may include, for example, adequate food and warm clothing, medical care and also being left alone unsupervised. Emotional neglect is when children are deprived of love and affection.

**7.2 Indications that a child is being abused**

Listed below are some more common signs of child abuse which, if seen, may suggest that abuse has occurred. They include but are not limited to:

• Unexplained or suspicious injuries such as bruises, cuts or burns particularly if situated on parts of the body not normally prone to such injuries

* Injuries for which an explanation seems inconsistent
* Fear of parents being approached about such injuries
* Reluctance to get changed or wearing long sleeves in hot weather
* Flinching when touched or approached
* A failure to thrive or grow
* Sudden speech disorders
* Difficulties in making friends
* The child is prevented from socialising
* Sudden or unexplained changes in behavior
* Fear of being left with a specific person
* Sexually explicit behavior
* Sexual knowledge beyond their age and developmental level
* A distrust of adults particularly those with whom a close relationship would normally be expected
* Constant hunger, sometimes stealing food
* The child is dirty/smelly/unkempt
* Loss of weight
* Inappropriate dress for the conditions

This list is by no means definitive and it is important to remember that some children may exhibit some of these indicators at some time and the presence of one or more should not be taken as proof that abuse is occurring.

There may be other reasons for changes in behaviour, for example, the death of a family member or the birth of a new baby. It is crucial that this is only a process of observation and that at no point in time should a staff member or volunteer feel that they should be actively seeking out abuse or an abuser.

The responsibility of the member of staff or volunteer is to report any concerns they may have.

**8.0 SAFEGUARDING ADULTS**

In addition to the four main areas of abuse listed above in respect of children (physical, emotional, sexual abuse and neglect), vulnerable adults are also open to financial and psychological abuse.

* Financial abuse – may include theft, fraud, exploitation and pressure with wills, property, inheritance or financial transactions. It may include misuse or misappropriation of property, possessions or benefits by someone who has been trusted to handle their finances or who has assumed control of their finances by default.
* Psychological abuse – includes threats of harm, control, intimidation, coercion, harassment, verbal abuse, enforced isolation or withdrawal from services or support networks. Humiliation, bullying, shouting or swearing can also be seen as abuse.

It is not easy to identify adult abuse as sometimes the nature of the abuse is not visible and/or the person being abused is afraid to speak out. However, some of the more common signs of abuse which if seen, may suggest that abuse has occurred, include but are not limited to the following:

* Unexplained or suspicious injuries such as bruises, cuts or burns particularly if situated on parts of the body not normally prone to such injuries
* Injuries for which an explanation seems inconsistent
* Fear of carers being approached about such injuries
* Deterioration of health for no apparent reason
* Loss of weight
* Withdrawal or mood changes
* A carer who is unwilling to allow access to the person
* A person who is unwilling or unhappy about being left alone with a particular carer
* Unexplained shortage or disappearance of money

The responsibility of the member of staff or volunteer is to report any concerns they may have and never to assume that others will do so.

**9.0 AWARENESS OF HARM OR ABUSE IN THE ORGANISATION**

Harm is caused by accidents, deliberate abuse (physical, sexual, emotional, and financial), neglect (deliberate or not) or factors such as bullying, prejudicial attitudes or a failure to enable a person to participate in activities that are open to most of their peers.

All incidents of harm to anyone involved in our services will require an appropriate response to reduce harm and improve our service.

Deliberate acts of harm (sexual, physical, emotional and financial) and neglect and abuses against individuals involved in our services will incur disciplinary proceedings and require reports and referrals to social services, the police, other professional bodies including the Education Workforce Council (EWC) and the Disclosure and Barring Service (DBS) if the post holder is involved in regulated activity.

**SIGNIFICANT HARM**

Where there is a risk of significant harm to our learners, volunteers or staff, Safeguarding Officers are empowered to act accordingly as follows:

* To log all conversations regarding the issue
* To sign and request signatures on reports and statements
* Confidentially seek advice from expert sources
* Share concerns (with consent where required and appropriate) internally with senior staff/Chair of the Governing Body
* Share concerns and make referrals to external agencies such as Social Services, the Police as appropriate to the circumstances
* Make a referral to the Disclosure and Barring Service (DBS) regarding staff or volunteers in regulated activity whose conduct is harmful to learners and when they are removed from regulated activity

**10.00 COMMUNICATION**

We will communicate this policy to all staff, volunteers, learners and any other individuals who come into contact with the Organisation using appropriate methods.

We support and encourage all learners, volunteers, staff and visitors to speak up and contact a named Safeguarding Officer as quickly as possible, and preferably within 45 minutes of becoming aware of an incident, suspicion or disclosure where there is:

* A concern (a worry, issue or doubt about practice or treatment of a learner or colleague or their circumstances).
* A disclosure (information about a person at risk of or suffering from significant harm).
* An allegation (the possibility that a staff member or volunteer could cause harm to a person in their care).

Staff or volunteers can report on issues that are wrong, illegal or if anyone at work is neglecting their duties, putting someone’s health and safety in danger or covering up wrongdoing. In the first instance they should speak to a Safeguarding Officer.

We would prefer our volunteers and employees to use internal processes wherever possible to make a report as above, but this does not prevent them from making a report or referral to statutory agencies such as Social Services or the Police, in their own right as a private individual. We also support our staff or volunteers to raise concerns or to disclose information, which they believe shows malpractice – i.e. whistleblowing.

**11.0 REPORTING PROCEDURE**

1. Learners should be made aware that they can report any complaints, allegations or suspicions to their tutor or to their Curriculum Delivery Officer if they prefer. Tutors and Curriculum Delivery Officers are responsible for reporting issues or disclosures to a Safeguarding Officer.
2. It is vital that any disclosure, concern or allegation is reported as quickly as possible, and preferably **within 45 minutes** of the member of staff becoming aware of it. If you are a member of teaching staff or a CDO, this may mean asking other learners in the class to take a break, occupying them with another task, or, even sending them home for the session and taking the learner somewhere where you can talk to them confidentially.
3. Staff should report issues or concerns to a Safeguarding Officer immediately to discuss and make a decision as to the best way forward to deal with the matter: this could be an investigation, immediate suspension and/or contacting outside agencies such as Social Services or the police if necessary. In situations where Addysg Oedolion Cymru | Adult Learning Wales is working in partnership with other organisations to deliver learning, the Safeguarding Officer will need to consider whether the matter should be referred to the partner organisation.
4. Staff must report concerns using the incident form at appendix 4 of this policy which will provide a written record of the nature of the concern and any other relevant information including:
	* the date of the report and the alleged abuse/ concern
	* the time of the report and the alleged abuse/ concern
	* the place where the alleged abuse happened
	* the name of the complainant and, if different, the name of the person who has allegedly been abused
	* the nature of the alleged abuse
	* the name of the member of staff receiving the report and the names of any others present
	* a description of any injuries observed
	* any other information given in description of the allegation

This information should be recorded on the safeguarding incident form (appendix 4).

**12.0 ALLEGATIONS AGAINST MEMBERS OF STAFF**

Where an allegation or suspicion of abuse is made against an employee, the decision to refer to outside agencies will follow the same process as any other disclosure or suspicion of abuse and will be established by the relevant line manager with advice from a Safeguarding Officer.

If, following initial investigations, a decision is made to pursue an allegation of abuse against a member of staff; this will be dealt with under the Addysg Oedolion Cymru | Adult Learning Wales Disciplinary Policy and Procedures.

**13.0 WHAT TO DO IF YOU SUSPECT ABUSE**

It is not easy to identify adult abuse as sometimes the nature of the abuse is not visible and/or often the person being abused is afraid to speak out. However, there are some more common signs of abuse which if seen, may suggest that abuse has occurred, including but not limited to the following:

* multiple bruising or finger marks injuries that cannot be easily explained
* deterioration of health for no apparent reason
* sudden and unusual loss of weight
* inappropriate or inadequate clothing
* withdrawal or mood changes
* a carer who is unwilling to allow access to the person
* a person who is unwilling or unhappy about being left alone with a

 particular carer

* unexplained shortage or disappearance of money.

If you suspect abuse, please do not ignore it. You should raise your concerns by following the reporting procedure outlined in section 10.0 above.

This document was revised in March 2019.

Addysg Oedolion Cymru | Adult Learning Wales reserves the right to alter the provisions of this policy from time to time in accordance with the statutory provisions or any agreements in force.

FLOWCHART Appendix 1

**Appendix 2**

**RESOURCES**

**Learner Signposting resources:**

[**https://www.adultlearning.wales/userfiles/files/Learner\_Resources/A\_to\_Z\_Learner\_Support\_Signposting\_2017-18.pdf**](https://www.adultlearning.wales/userfiles/files/Learner_Resources/A_to_Z_Learner_Support_Signposting_2017-18.pdf)

[**http://www.childreninwales.org.uk/**](http://www.childreninwales.org.uk/)

[**https://www.nspcc.org.uk**](https://www.nspcc.org.uk)

[**https://www.childcomwales.org.uk/**](https://www.childcomwales.org.uk/)

Safeguarding Vulnerable Groups Act <http://www.legislation.gov.uk/ukpga/2006/47/contents>

Protection of Freedoms Act <http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted>

**Appendix 3**

**CODE OF BEHAVIOUR ON SAFEGUARDING FOR**

**ADDYSG OEDOLION CYMRU | ADULT LEARNING WALES STAFF AND VOLUNTEERS**

1. Addysg Oedolion Cymru | Adult Learning Wales recognises that it is not practical to provide definitive instructions that would apply to all situations at all times whereby staff and volunteers come into contact with learners and to guarantee the protection of learners, staff and volunteers.
2. However, standards of behaviour required of staff and volunteers in order to fulfil their roles and duty of care within the Organisation are detailed below. This code should assist in the protection of learners, members of staff and volunteers.
3. Staff and volunteers must implement the Safeguarding Policy at all times.
4. Staff and volunteers must never:
* engage in rough, physical games with learners
* allow or engage in inappropriate touching of any kind
* do things of a personal nature for learners
* physically restrain a learner unless the restraint is to prevent physical injury of the learner/other learners/visitors or staff/volunteers/yourself. In all circumstances physical restraint must be appropriate and reasonable, otherwise the action can be defined as assault
* make sexually suggestive comments
* have learners on their own in a vehicle. Where circumstances require the transportation of learners in their vehicle, another member of staff/ volunteer must travel in the vehicle. Also it is essential that there is adequate insurance for the vehicle to cover transporting learners as part of the business of your work. In extreme emergencies (for medical purposes) where it is required to transport a learner on their own, it is essential that the carer and a senior member of staff are notified immediately
* take a learner to the toilet unless another adult is present or has been made aware
* spend time alone with a learner on his/her own, outside of the normal tutorial/ classroom situation. If you find you are in a situation where you are alone with a learner, make sure that you can be clearly observed by others.
* engage in a personal relationship with a learner, beyond that appropriate for a teacher/ student relationship.
1. Staff or volunteers who breach any of the above may be subject to disciplinary action under the Addysg Oedolion Cymru | Adult Learning Wales Disciplinary Policy and Procedure

Appendix 4 Incident Form- Strictly Confidential

|  |  |  |  |
| --- | --- | --- | --- |
| Staff member name |  | Learner Name |  |
| Course code |  | Venue |  |

Facts of incident/disclosure/significant change of behaviour/sign of abuse as reported

|  |  |  |  |
| --- | --- | --- | --- |
| Date |  | Time |  |
| Place |  |
| Details  |
|  |
| Name of staff reporting incident |
| Action Taken (if any) |
| Has learner been informed that the information will be passed on?  |
| Signed Learner (where applicable) |
| Signed member of Staff |
| Date |
| Safeguarding Officer informed Yes/ No Date: |