

Policy/Procedure Name:	Safeguarding Children and Vulnerable Adults Policy and Procedure
Policy/Procedure Number:	SWS001
Date of Approval:	27 <sup>th</sup> September 2011
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Policy/Procedure Author:	Interim Safeguarding Manager
Policy/Procedure Owner:	Principal
Management Committee Approved By:	Student Welfare and Safeguarding
Governor Committee (where appropriate) Approved By:	Quality and Performance Group
For Action By:	All Staff
For Information to:	All Students
Approval requested to upload on the Treloar Website:	Yes (tick if requested)
Date of Policy Equality Impact Assessment:	
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## **Aim**

The Children's Act (1989, 2004) states that the welfare of the child is paramount and that the Local Authority has a duty to investigate where there is reasonable cause to suspect that a child is suffering or likely to suffer significant harm. In addition the employees of Treloars have a duty to promote the safety and well being of children and young people and to assist the Local Authority in child protection investigations when they are asked to do so. (Working Together 2010)

The first priority should always be to ensure the safety and protection of children and vulnerable adults. To this end it is the responsibility of all staff to act on any suspicion or evidence of abuse or neglect and to pass it on to a responsible person/agency. (No Secrets, 2000).

## **Statement of Policy**

Treloars College and School recognises the right of all people to live and work in a safe environment and to ensure they feel safe, we are committed to safeguarding and promoting the welfare of children, young people and vulnerable adults, engaged in the breadth of its activities by ensuring that there are appropriate arrangements in place to enable it to discharge its duty to provide a safe and secure environment and to deal with issues concerned with suspected or reported abuse of children and vulnerable adults.

Treloars seeks to ensure that its policies and procedures comply with statutory duties; reflect guidance and good practice in safeguarding children and vulnerable adults; and that safeguarding arrangements are proportionate and based upon common sense.

Treloars recognises that it has a duty to help staff and students recognise their responsibilities (through guidance, support and training), minimise risk and avoid situations (where possible) where abuse or neglect might be alleged.

Treloars will ensure that processes are in place to check suitability of staff and students working closely directly with vulnerable adults and children. There is a commitment that staff will have satisfactory Criminal Records Bureau (CRB) disclosures, at an appropriate level, before commencing work.

Treloars takes seriously its duty of pastoral care and will be proactive in seeking to prevent children and vulnerable adults becoming victims of abuse or neglect, it will do this in a number of ways:

- Every individual must take responsibility for understanding the policy and guidelines
- Enabling people to live in safety without fear of abuse or neglect.
- Increasing awareness of the nature and extent of abuse.
- Taking positive action where abuse is identified or suspected.
- Creating an environment where abuse is less likely to happen.
- Informing children and vulnerable adults of their rights to be free from harm and encouraging them to talk to staff if they have any concerns.

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- Taking a proactive approach to safeguarding operating a zero tolerance to any forms of abuse, bullying or discrimination.
- Operate an effective Whistle Blowing Policy.
- Identifying a member of the board of governors and a member of the College and school leadership team (the Safeguarding Officer) who have overall responsibility for safeguarding children and vulnerable adults.
- Doing nothing is not option.

## **Scope of Policy**

The policy applies to all staff, (including agency staff, trustees and governors), employed by the school and college, temporary staff and volunteers. All have a legal responsibility to take seriously any safeguarding concerns that come to their attention and follow procedures.

Sub-contractors must be informed of this policy and deal with any concerns reported to them by contacting the Safeguarding Officer or a manager.

Students who have concerns about other students or the behaviour of adults towards them can use this policy to ensure they are taken seriously.

It is not Treloar's responsibility to investigate abuse. Nevertheless, it has a duty to act if there is cause for concern and to notify the appropriate agencies so that they can investigate and take any necessary action.

## **1. Principles Underpinning this Policy**

### **Legal responsibilities**

Staff must work within the framework of the law. Behaviour, which is unlawful, must not be condoned or supported. Where appropriate, the police must be informed.

### **Learner Focus**

The learner who is at risk of/suffering abuse is the main focus of intervention. They must be treated with dignity and respect and involved as much as is practicable in the process outlined in this document. Where communication or other difficulties impede participation, reasonable steps should be taken to overcome them.

Remember that learners can be perpetrators as well as victims.

### **Equality and Diversity**

Any investigation should take into account and respond to learners' race, culture, religion, gender, sexual orientation, disability and communication needs. Where such issues are identified, advice should be sought by the SO to ensure sensitive and effective interventions and to ensure that key considerations are not overlooked.

### **Self determination and consent**

Learners should have the greatest possible control over their lives. Available information and options should be clearly outlined to assist learners in

expressing their wishes. Careful assessment of whether learners have or lack capacity is essential to the protection of their rights. The assessment of a learner's capacity must take account of issues raised in the relevant section of the attached guidance. It must be remembered that an individual can lack capacity in one area of decision making whilst retaining it in another. Where an individual is assessed as being capable of making an informed decision their wishes should be respected.

### **Sharing Information/Confidentiality**

Considerations should include:

- The ability of others to make a positive contribution (the need to know).
- The rights of the learner to be consulted / informed.
- The learner's ability to make decisions.
- The level of risk.
- How many people are potentially affected.
- The Data Protection Act and the public interest; the Crime and Disorder Act.
- Permissions to share information to prevent crime.

### **Staff Training and Support**

Working with abuse demands a high level of skill, as it can be very stressful. Training, personal support and supervision for workers will be of the highest priority.

### **Staff skills**

Vulnerable people have the right to expect that staff working with them should have the appropriate level of skill. This is particularly important in relation to extremely sensitive issues, such as suspected or alleged abuse. Staff working with vulnerable adults and children will be trained to recognise signs of abuse and to know what to do when a disclosure is made.

## **2. Definitions**

**Abuse is a violation of an individual's human and civil rights by any other person or persons.**

Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it (No Secrets, 2000)

Harm should be taken to include not only ill-treatment (including sexual abuse and forms of ill-treatment which are not physical), but also 'the impairment of, or an avoidable deterioration in, physical or mental health; and the impairment of physical, intellectual, emotional, social or behavioural development'. These latter categories may be very

important to an individual's ability to recover from an illness or have the best possible quality of life. (Making Decisions, 1999).

A child is determined as anyone up to his or her 18<sup>th</sup> birthday as defined in the Children Act 2004

**The Law Commission as defines the term Vulnerable Adult:**

Someone of 18 years or over who: is or 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 him or herself or unable to protect him or herself against significant harm or exploitation.  
(No Secrets, 2000)

## **Rights**

**Learners** have the right to:

- Be made aware of our policies and procedures.
- Be listened to.
- Be taken seriously.
- Be kept safe from harm

**As Vulnerable Adults** they also have the right to:

- Be made aware of policies and guidance and organisations which may provide help and support and their right to support/representation by an independent advocate.
- Be safe, secure and supported.
- Be informed and included in the investigation process in any situation of abuse.
- Be told outcomes of any investigation.
- Have disclosures recognized.
- Have investigations conducted by skilled, appropriately trained people.
- Have information about, and support to access appropriate specialist groups/services.

**Relatives** have the right to:

- Be made aware of policies and organisations, which may provide help and support and of their right to support/representation by an independent advocate.
- Be involved as appropriate and in accordance with the wishes of the vulnerable adult or their appointed representative.
- Be told of the outcomes of any investigation with the consent of the vulnerable adult or their appointed representative.

**All Workers** have the right to:

- Fair and unbiased treatment by Management, through the application of disciplinary/capability procedure where appropriate.
- Appropriate support when they are involved in the investigation of abuse.

- Be made aware of policies, procedures (both internal and multi-agency) and best practice in supporting vulnerable adults who have been abused.
- Be listened to, informed and included as appropriate in the investigation process.
- Training to ensure that they have the skills appropriate to the level of intervention required of them.
- Given supervision on a regular basis to support their skills base

**Learners alleged to have been abused** have the right to:

- A fair and unbiased investigation into the allegations, carried out by appropriately skilled and trained professionals.
- Support throughout the investigation process.
- Be informed of the outcome of any investigation and any action to be taken as a result.
- Information about, and access to, appropriate specialist support groups/services.

If the alleged abuser is a staff member, full information and proper application of the organisation's disciplinary and grievance procedures and access to Trade Union support will be made available. Plus they will receive the presumption of innocence unless otherwise proven and a fair judgment as to the probability of abuse having taken place.

## **Responsibilities**

**Vulnerable adults** have the responsibility to:

- Give accurate information, to the best of their ability, to any person involved in the investigation of abuse.
- Pass on any information, which may affect the outcome of the investigation.
- Take reasonable measures to protect evidence in the event of a police investigation.

**Managers/Care Providers** have the responsibility to:

- Ensure the relevant policies are up to date.
- Make all staff working for the Provider aware of the policies and of how to respond in cases of suspected abuse.
- Provide support for staff involved in investigations.
- Provide support to vulnerable adults who have alleged abuse, or who are alleged to have abused or who are colleagues of staff members alleged to have abused.
- Consult with Human Resources and other professionals on the employment implications of allegations of staff.
- Provide support to staff who are being investigated in relation to allegations of abuse, (guidance should be provided within the organisations Disciplinary and Grievance procedures) and Managers must take advice on this with Human Resources.
- Report allegations of abuse to the appropriate regulatory body.

- Comply with the procedures required within the Care Standards Act 2000
- Refer workers to the Independent Safeguarding Authority (ISA) if they are deemed unsuitable to work with vulnerable adults or if this is suspected.

**All College and school staff have the following responsibilities:**

- To take action against abuse wherever it is suspected with reference to policy and guidance and to Managers and others outside the agency who might be able to offer support and advice.

**Treloar College and school** has the responsibility to:

- Promote awareness of the nature and extent of abuse and of the multi-agency policy for the Protection of Vulnerable Adults and Safeguarding Children, as well as internal policy.
- Take appropriate action in line with these policies wherever abuse is suspected.
- Promote the safety of College and school learners
- Call on emergency services appropriately where there is immediate danger.
- Provide opportunities for training on Safeguarding Children and Adults/Adult and Child Protection issues for their own staff.
- Have in-house policies relating to the protection of children and vulnerable adults from abuse.
- Assure service learners that they will be listened to.
- Involve service learners in decision-making and in the investigation of abuse where appropriate and make them aware of the policy and procedures.
- Offer appropriate support to those reporting abuse and to those involved in investigating abuse.
- Work alongside other professionals in the prevention, assessment and investigation of abuse using the skills, knowledge and powers of all relevant agencies appropriately and in line with policy and procedure.
- Keep records of any incidents/concerns.
- Commission safe services and ensure effective monitoring of those services as well as having systems in place to take action where services are found to be abusive.
- Provide comprehensive guidance for all staff, which relates clearly to this document and which sets out clearly staff roles and responsibilities.

**This includes:**

- Identifying children and vulnerable adults who are particularly at risk
- Recognising risks from different sources and in different situations, including the recognition of abusive behaviour from others.
- Understanding routes for making referrals, and channels of communication within and beyond the School and College.
- Assurances of protection for whistle-blowers.

- Working within best practice as specified in contracts.
- Working within, and co-operating with, regulatory mechanisms.
- Working within agreed operational guidelines to maintain best practice in relation to:
  - the prevention and management of challenging behaviour.
  - the provision of personal and intimate care.
  - the use of physical interventions.
  - sexuality and close personal relationships.
  - storage and administration of medication.
  - Handling of learners' money.
  - Risk assessment and risk management.

### **3.0 Defining Abuse**

Abuse is a violation of an individual's human and civil rights by any other person or persons. Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a person is persuaded to enter into a financial or sexual transaction to which he or she has not consented or cannot consent. Abuse can occur in any relationship and may result in significant harm.

#### **Types of Abuse**

##### **Physical Abuse**

It is the actual or likely physical injury to a child or vulnerable adult, or the failure to prevent injury, resulting from acts of commission or omission on the part of others and causing pain, injury or impairment. Including hitting, slapping, and pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.

Building on this definition of physical abuse within 'No Secrets' (2000), it can be helpful to consider the following different categories of physical abuse:

##### **a. Bodily Assaults**

Resulting in injuries such as burns, bruises, abrasions, fractures, dislocations, welts, wounds, rashes, pressure sores or marks of physical restraint.

##### **b. Bodily Impairment**

Manifested in malnutrition, dehydration, emaciation, poor hygiene, drug or alcohol addiction, sleep deprivation, failure to thrive, unexplained fatigue, hypo/hyperthermia, or improper ventilation.

##### **c. Medical/Healthcare Maltreatment**

Inappropriate medication, over/under medication, inappropriate administration of medication (method). Provision of health care may be unavailable to an excessive degree, or irregular, improper, inadequate or duplicated in some way.

##### **Sexual Abuse**

Includes rape and sexual assault or sexual acts to which the child/vulnerable adult has not consented, or could not consent or was pressured into consenting. Sexual abuse might also include exposure to pornographic materials, being made to witness sexual acts and encompasses sexual harassment and non-contact abuse. /

### **Psychological/Emotional Abuse**

Including emotional abuse, threats of harm, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

It might include the following, in addition to this definition from 'No Secrets' (2000): 'playing on' someone's emotions to make them afraid, uneasy or unnecessarily dependent.

This might include bullying, shouting, threats of harm or abandonment, intimidation, persistent ignoring, isolation or withdrawal from social contact or supportive networks, emotional blackmail, undermining, ridiculing, coercion, verbal, racial abuse, deprivation of contact, blaming or controlling.

### **Neglect, Acts of Omission and Poor Professional Practice**

Including ignoring 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, appropriate clothing and heating.

### **Financial or Material Abuse**

Includes theft, fraud exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

### **Discriminatory Abuse**

Including racist, sexist, that based on a person's disability, and other forms of harassment, slurs or similar treatment.

### **N.B.**

Multiple forms of abuse may occur in an ongoing relationship or an abusive service setting to one person, or to more than one person at a time, making it important to look beyond single incidents or breaches in standards, to underlying dynamics and patterns of harm. Any or all of these types of abuse may be perpetrated as the result or deliberate intent and targeting of vulnerable people, negligence or ignorance.

### **Who Might Abuse?**

Abuse of children and vulnerable adults may be perpetrated by a wide range of people, including relatives and family members, professional staff, paid care workers, volunteers, other service learners, neighbours, friends and associates, people who deliberately exploit vulnerable people, strangers and organised or linked networks of able learners.

Treloar College & School has a responsibility to all vulnerable children and adults who have been abused, and they may **also** have responsibilities to some perpetrators of abuse. The roles, powers and duties of the various agencies in relation to the perpetrator will vary according to whether they are:

- A member of staff, proprietor or manager of a service.

- A member of a recognised professional group, including health professionals, or Adult Services professionals.
- A volunteer or member of a community group such as a church or social club.
- Another learner.
- A parent, relative or member of the person's social network.
- A carer i.e. someone who is eligible for assessment under the 1996 Carer's Recognition Act,
- A neighbour, member of the public or stranger, including visitors to the individual's home.
- A person who deliberately targets vulnerable people in order to exploit them.

### **Recognising Abuse**

Abuse can occur in any setting. Recognising abuse is not always easy, even for the experts. The examples listed below are not a complete list and they are only indicators, not confirmation of abuse.

- The student says that he/she is being abused, or another person says they believe, or actually know, that abuse is occurring.
- The student has an injury for which the explanation appears inconsistent.
- The student's behaviour changes, either over time or quite suddenly, and he/she becomes aggressive, withdrawn or sexually explicit.
- The student appears not to trust adults, with whom they would be expected to have, or once had, a close relationship, and do not appear able to mix, or make friends.
- He/she becomes increasingly neglected looking in appearance, or loses or puts on weight for no apparent reason.
- The student shows inappropriate sexual awareness for his/her age/mental ability, and sometimes behaves in a sexually explicit way.

*Bear in mind that disabled children, young people/vulnerable adults are particularly open to abuse and may have added difficulties in communicating what is happening to them.*

## **4.0 Prevention of Abuse**

### **Vulnerable Adults Prevention by Empowerment:**

Empowering learners with knowledge and understanding so that they will be aware of what is appropriate or inappropriate behaviour towards them, is an important aspect of prevention of abuse. For example, the knowledge that an abuser is committing a criminal offence may persuade an abused individual that the abuser's behaviour is unacceptable and that they should take action to stop it.

Knowledge about laws relating to sexuality, and also about appropriate and inappropriate sexual practices/advances is important.

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The above relate to potential learners as much as potential abusers. Many vulnerable adults may not be aware that their behaviour is abusive, and we have an obligation to ensure that each individual is aware of what constitutes abuse and why, and the risks they themselves face as a consequence of their actions.

Learners with learning disabilities may be considered to be particularly at risk of abuse and/or abusing. It is still the case that many learners are still not given appropriate levels of information in relation to either their rights or their associated responsibilities. Extensive support may be necessary to ensure adequate levels of understanding, and adequate skills to ensure that rights and responsibilities are recognised and asserted. The College has a comprehensive Sexuality and Further Education (SAFE) policy which covers personal relationships and all learners receive information and training in relation to this policy.

A multi-disciplinary team actively support learners in this area, working with the policy's four key principles, which are:

- SAFE from prejudice.
- SAFE from ignorance.
- SAFE from irresponsibility.
- SAFE from abuse.

Issues relating to the awareness and prevention of abuse of all kinds are fundamental aspects of the SAFE policy. This in no way detracts from the duty to care which is incumbent upon all care providers.

### **Recruitment and Selection**

It is fundamental to quality service delivery, and thus to the protection of children and vulnerable adults, that all staff and volunteers are carefully recruited and selected following safer recruitment procedures.

## **5.0 Guidelines for Staff Protection**

In order for staff to keep themselves safe they should:

- Maintain professionalism at all times.
- In one-to-one situations ensure there is no suggestion of secrecy. Other staff should always be aware that such a situation is operating.
- In a teaching situation ensure that you are working in a position that can be seen from the window or door.
- Never become involved in a one-to-one social situation with a student.
- Never entertain a single student in your private accommodation.
- Ensure that any extra work or activity with a single student should be cleared with the Residential Manager, and should take place in an area with open access.
- Not allow themselves to become emotionally involved with a student.
- Be aware of, and work within the School and College policies.
- Raise any safeguarding concerns.

- Familiarise themselves with Treloars School and College Guidelines for Professional Practice and Whistle Blowing policies.

**Remember: The task of deciding whether or not abuse has occurred rests with the professional agencies.**

## 6.0 Student Policy Aims

### College & School Aim:

Treloar's aim is that all learners are safe, and feel safe in all areas of their lives while they are Treloar learners.

Important aspects of this are that:

- Staff will take student concerns or worries seriously and will pass them on to an appropriate member of staff who can deal with them.
- If the concern or worry links to Safeguarding then the Safeguarding Manager, who has special training, will deal with the safeguarding concern.
- Learners can contact the Safeguarding Manager themselves – by e-mail, mobile phone, pop into their office or by the red button on Moodle
- Where necessary the Safeguarding Manager will meet with students and talk through your concerns and worries. They will involve you and keep you informed of any actions needed to sort out the issues.

Confidentiality will be kept – the issues will only be shared with people who need to know – you will be informed who these people are.

## 7.0 Legal Aspects

### Mental Capacity Act 2005

The Mental Capacity Act 2005 provides a statutory framework to empower and protect vulnerable people who are not able to make their own decisions. It makes it clear who can take decisions, in which situations, and how they should go about this. It enables people to plan ahead for a time when they may lose capacity.

The whole Act is underpinned by a set of five key principles, including:

- A presumption of capacity – every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise.
- The right for learners to be supported to make their own decisions – people must be given all appropriate help before anyone concludes that they cannot make their own decisions.
- That learners must retain the right to make what might be seen as eccentric or unwise decisions.
- Best interests – anything done for or on behalf of people without capacity should be done in their best interests.
- Least restrictive option - anything done for or on behalf of a person who lacks capacity should be the least restrictive of their basic rights and freedoms.

## Consent and capacity

In considering issues of choice and whether an individual has the capacity to make a particular decision the following steps should be included:

- Does the person understand what the decision in question is and why they are being asked to make it?
- Do they understand the consequences of making that decision?
- Is the person capable of understanding and weighing up the information provided in order to make the decision?
- If the person lacks capacity, what is the nature of that incapacity?
- Are there interventions that could enhance capacity?
- Where there is incapacity ensure interventions are in the person's best interests.

## 8.0 Links with Other Policies and Procedures

Abuse investigations will require reference to other relevant guidance, policies and procedures. These will include policies relating to:

- Risk taking in relation to Learners
- Disciplinary and Capability Procedures
- Policy on the Disclosure of Malpractice (Whistleblowing)
- Policy for the Management of Challenging Behaviour
- Sexuality and Further Education (SAFE)
- Recruitment Policy and Procedures
- Guidelines for Professional Practice
- Confidentiality and Disclosure of Information
- Harassment and Bullying Policy **A**
- Supervision Policy

## 9.0 Previous Unfounded Allegations

There will be occasions when an individual who has made unfounded allegations on previous occasions makes allegations of abuse. It must never be assumed that, because allegations have not previously been found to be true, that this means the individual is not telling the truth on subsequent occasions, and the reporting and investigative procedure should always be followed. An early judgment should be taken (in conjunction with Adult Services and Human Resource professionals) about the appropriateness of immediate suspension of any staff members against whom allegations may have been made, following a risk assessment within which any previous history of unfounded allegations should be considered.

However, it must be recognised that if an individual makes frequent unfounded allegations, then there will be an underlying reason (e.g. unhappiness or dissatisfaction for some other reason), and the care plan should reflect the need to address this. Action in response to possible future allegations of abuse from the individual should be agreed, but this must **NOT** include decisions not to report or investigate.

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Service providers and their staff working with learners who have a history of unfounded allegations, as identified through the investigation process, will have anxieties raised, and this should be acknowledged and respected, and the appropriate support offered throughout the process.

*If there were concerns with any of the above they would be referred to the relevant senior manager for action.*

## **10.0 Procedures in cases of suspected or actual abuse**

Any member of staff who receives a disclosure of abuse or has reasonable concern to believe that abuse has or may take place, must immediately inform the Residential Manager (or other Senior Staff) and the Safeguarding Manager (SM).

### **When staff are faced with a disclosure**

When faced with a disclosure, staff should:

- Stay calm and don't interrupt the person making the disclosure.
- Do not promise to keep it to yourself but tell the student who you will inform.
- Listen to what is said and take it seriously.
- Only ask questions if you need to identify what you are being told, do not ask for details.
- Ask only 'open questions'. (These are questions that cannot be answered 'yes' or 'no'.)
- Reassure the student that they were right to confide in you.
- Reassure the student that they will be kept informed of any actions taken on their behalf.
- Make a detailed, signed and dated note of what you have been told if possible, but do not delay passing on the information.

Any written details must be written on the Safeguarding referral form, signed and dated and passed to the Residential Manager and SM. A copy of the referral form can be found in appendix 1.

Complete a skin map form (appendix 2) and if marks are present the student must be taken to the Health Centre for photographic evidence to be taken. Note that there may have been an injury but there might not be any mark on the body immediately.

### **Staff should not:**

- Appear shocked, horrified, disgusted or angry.
- Press the individual for details (it is not your duty to undertake the investigation unless requested to do so).
- Make comments or judgments other than to show concern.
- Promise to keep secrets or confront the alleged abuser.
- Risk contaminating evidence.
- Discuss with others who do not need to know – you only need to inform the Residential Manager and Safeguarding Manager.

- Attempt to continue interviewing, or discussing the issue with the student.

The Residential Manager or Senior Staff **should immediately refer** to the SM, in order that a plan of action can be agreed. If unable to contact the SM staff should contact the Assistant Principal (Residential Services) or a member of SMT.

**If recent sexual assault is suspected, in order to preserve forensic evidence, the student should not be medically examined other than by a Doctor approved by Social Services or the Police. An exception may be made if there appears to be injuries so severe that they require immediate medical attention.**

**Any suspicion or allegation concerning the SM must be communicated immediately, by the Principal, to the Chief Executive and the Chairman of the Governing Body.**

**NOTE:**

- Always believe what is being disclosed – it is for other professionals to decide what actually happened.
- Inform Residential Manager and Safeguarding Manager immediately.
- Make as detailed report as possible of what you have seen, been told, or heard.
- Maintain confidentiality at all times by avoiding discussing things with other staff who do not need to know.
- Failure to pass on information is a disciplinary matter

**Please remember it is not your responsibility to decide whether a young person/vulnerable adult is being abused, but that the College is asking you to fulfil your responsibilities, and to act on your concerns.**

The ability to recognise abuse depends as much on the willingness to accept the possibility of its existence as it does on knowledge and information. It is important to note that abuse is not always clearly visible and may not be readily observable.

All details will be recorded by the SM (or Assistant Principal / SMT if SM not available) on the Referral Received Form (appendix 3). This Referral Form along with the outlined plan of action, written by the Residential Manager or SM, will be placed in the **Student Protection File**.

**Any suspicion or allegation concerning the Principal must be communicated immediately by the Chief Executive to the Chairman of the Governing Body.**

**What Managers need to do when a Safeguarding issue is raised:**

**Immediate Action to be taken by Manager**

- Ensure the safety of the individual and if in immediate danger, contact the relevant emergency services e.g. Police, Ambulance (as appropriate)
- Ensure all evidence is preserved.
- Support and reassure the student, and staff reporting the incident ensuring that staff record what is said and/or observed but avoid asking leading questions.
- Ensure staff have logged nature of alleged abuse, any information given or witnessed, actions taken, who was present at the time, dates and times of incident(s).
- Having gathered all the above information Manager to evaluate seriousness of the situation and assess if it falls within the remit of Policy. A tool has been designed to enable Managers to make judgements on the level of seriousness of an incident [Managers Judgement Toolkit]. Seriousness is broken down into 8 elements, plotting the score of each element on the table will help in reaching an overall judgment and demonstrating how the judgement was reached. All incidents are serious but some will need higher level of response. This tool can be used to assist Managers in their decision making process it can be found in appendix 4.
- Manager to inform Safeguarding Manager. If unavailable they should contact the Assistant Principal (Residential Services) or SMT member.
- Manager to ensure in conjunction with Duty Safeguarding Manager an interim Safeguarding Action/ Behaviour Plan
- Ensure all discussions and decisions are recorded.

**Within 24 hours the Manager must:**

- Complete a risk assessment. If this shows there is doubt of students understanding of the risks involved surrounding this incident, a mental capacity assessment must be completed.
- Ensure staff have access to Safeguarding action plan and any resources they might need to implement the plan.
- Ensure Safeguarding action plan is linked to care plan and highlighted to all staff.
- Record reasons for any variation on timescales.

**Ongoing Activity**

Ensure staff member(s) implicated in the alleged abuse receives the necessary support.

**A summary of the whole process can be found in appendix 5**

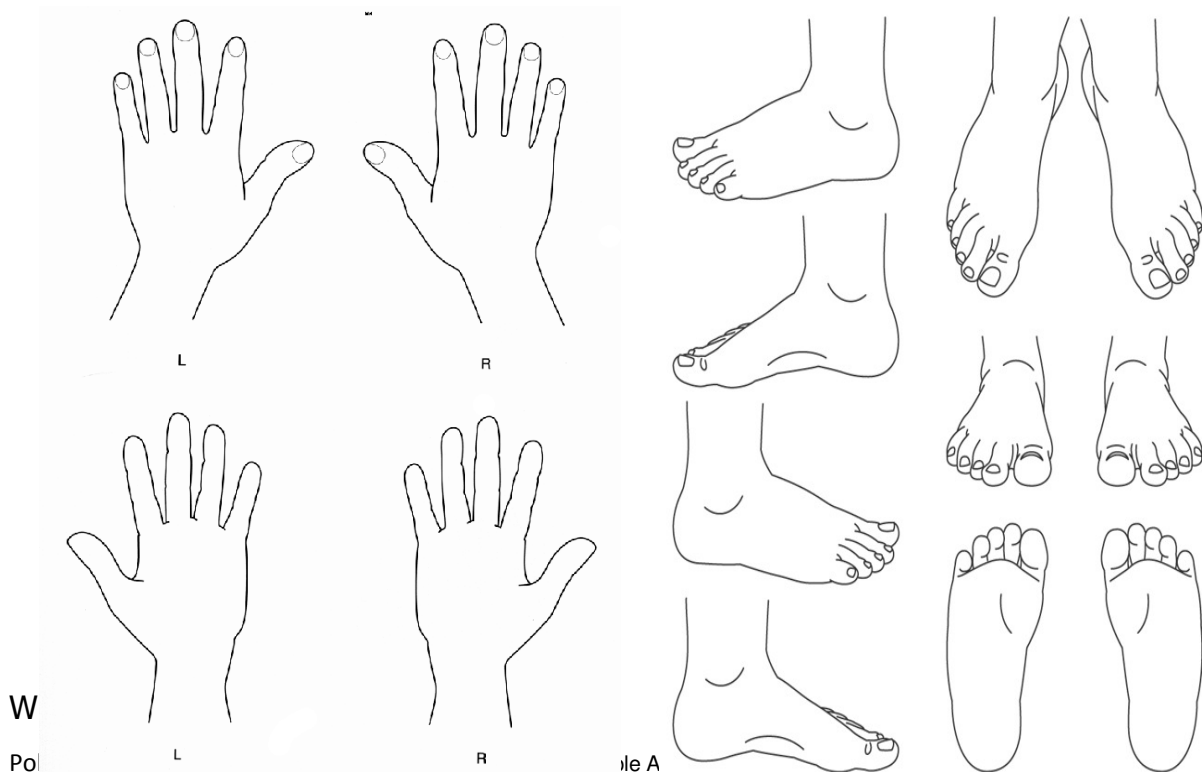
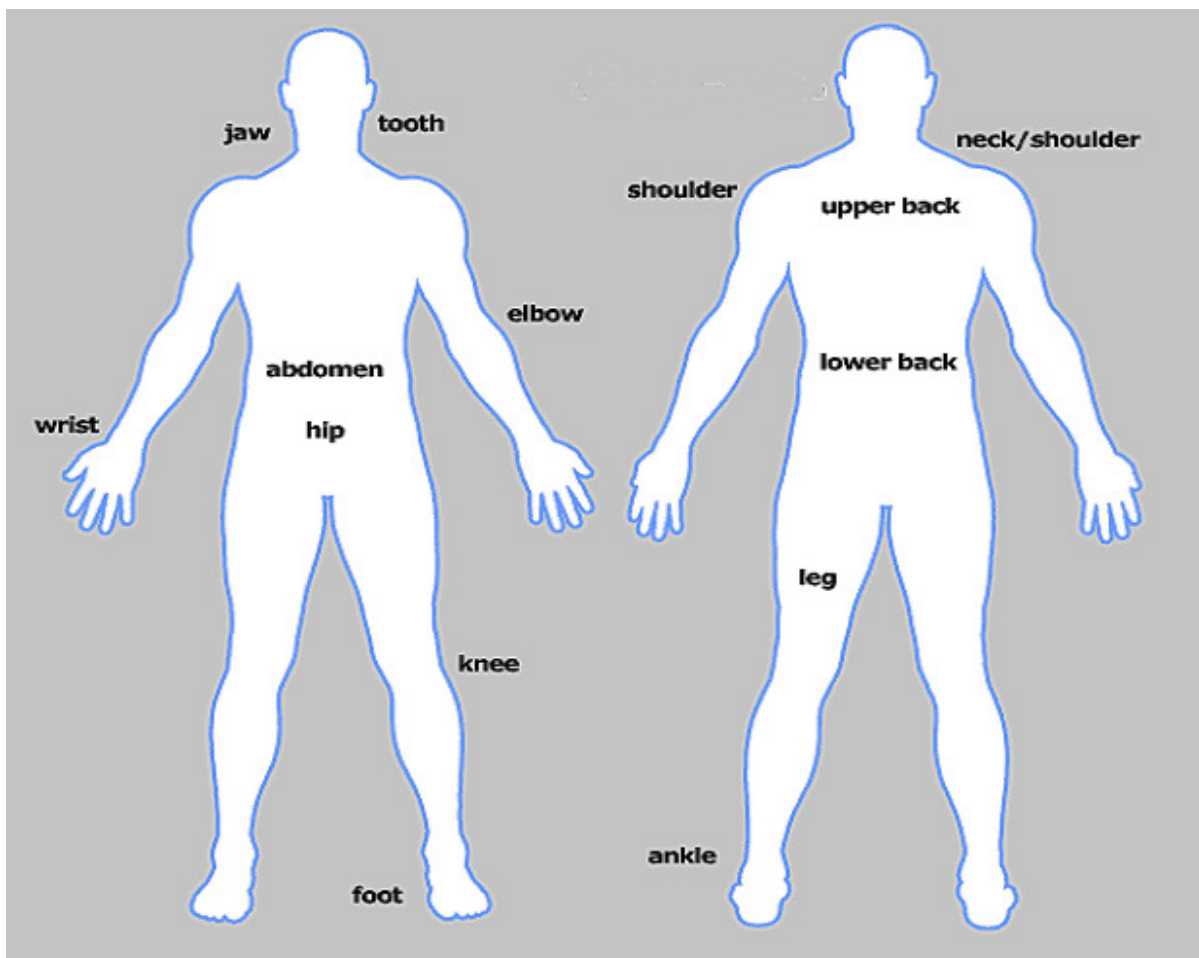
**Appendix 1**



**Treloar Trust Child Protection/Vulnerable Adult Referral Form**

***This referral form MUST be completed on the day the alleged incident of abuse is identified or reported***

<i>Student name:</i>	
<i>Home address:</i>	
<i>Post code:</i>	
<i>Telephone:</i>	
<i>Date of birth:</i>	<i>Age:</i>
<i>Disability:</i>	
<i>House:</i>	<i>Course:</i>
<i>Issue being reported/witnessed:</i>	
<i>Referral form sent to:</i>	
<i>Date/Time:</i>	
<i>Staff signature (staff filling in referral form):sign &amp; print name</i>	



W

Pol  
Policy/Procedure No: SWS001  
Revised Date: Sept 2011

Review by Date: July 2012

.....  
When were the injuries seen?  
.....

Information Recorded on: Date: ..... Time: .....

Marks seen: Bruise Graze Cut Abrasion Scratch Burn Pressure Mark

Reported to Health Centre: **YES / NO** (Delete as Appropriate)

Staff Name: (please print) ..... Staff Signature: .....

.....

**To be completed by Health centre**

Picture of mark(s) taken : **YES / NO** (Delete as appropriate)

Picture refused: **YES / NO** (Delete as appropriate)

Please complete the information below:

Marks seen: Bruise Graze Cut Abrasion Scratch Burn Pressure Mark

Other – Please describe

No Marks Seen  (please tick) Date Examination took place:.....

Comments:

.....  
.....  
.....

Staff Name: (please print) ..... Staff Signature: .....

**APPENDIX 3**

**Manager Referral Form**



Received by:	
Date:	Time:
Actions taken following safeguarding referral	

Note: there must be no delay in filling out this form

Signature:

Full Name:

Policy/Procedure Name: Safeguarding Children and Vulnerable Adults Procedure and Guidelines

Policy/Procedure No: SWS001

Revised Date: Sept 2011

Review by Date: July 2012

**APPENDIX 4**

**Managers Judgement Toolkit**

<b>Element</b>	<b>Serious (level 1)</b>	<b>Substantial (Level 2)</b>	<b>Extremely Serious (Level 3)</b>
1. Whether the incident was a one off event or part of a long standing relationship or pattern	Isolated incident	Recent incident in an ongoing relationship	Repeated incidents which have gone on for over 12 months
2. The impact of the incident on the physical and/or mental health of the alleged victim	Short term (can take it in their stride)	Lasting distress or injury	Potentially life threatening
3. The impact on others e.g. students/staff	No one else involved	Other students are disturbed or distressed about the abuse	Others are extremely intimidated and/or their environment distorted
4. The intent of the person alleged to be responsible for the incident	Inadvertent or ill informed	Violent/serious, unprofessional response to difficulties in caring	Planned and deliberately malicious
5. The illegality of the alleged perpetrators action(s)	Poor or bad practice but not illegal	May be against the law	Clearly a criminal offence
6. The risk of the incident being repeated against this student/s	Very unlikely	Not if significant changes are made e.g. training/supervision respite/support	Very likely even if changes are made and/or more support provided
7. The risk that the incident will be repeated against other student/s	No - very unlikely	The alleged perpetrator/setting may change but supervision maybe necessary	The alleged perpetrator/setting represents a threat to other students.
8. Degree of vulnerability of student/s	Limited vulnerability and support needed	Can be managed with support	Extremely vulnerable and support needed

**SUMMARY OF ACTIONS  
FOLLOWING DISCLOSURE OR EXPRESSION OF CONCERN**

<p><b>Immediate Action</b></p> <ul style="list-style-type: none"> <li>• Ensure the safety of the individual and if in immediate danger, contact the relevant emergency services e.g. Police, Ambulance.</li> <li>• Preserve evidence.</li> <li>• Support and reassure the person, recording what is said and/or observed but avoid asking leading questions</li> <li>• <i>Log nature of alleged abuse on the Treloar Trust Child protection/Vulnerable Adult Referral Form and complete a skin map give these and report concerns to SM or Manager.</i></li> <li>• Ensure all discussions and decisions are recorded.</li> </ul>
<p><b>Managers immediate action</b></p> <ul style="list-style-type: none"> <li>• Consider risk issues and record this assessment using Managers Toolkit.</li> <li>• Contact and report to Assistant Principal (Residential Services) or SMT member.</li> <li>• Consider if Health Centre need to photograph evidence. [please note students can refuse this at the Health Centre]</li> <li>• Ensure staff monitor student if risk assessment indicates this (monitoring form available in appendix 6)</li> <li>• Use checklist to ensure all tasks are complete (appendix 7)</li> </ul>
<p><b>SM / Assistant Principal (Residential Services) or SMT member</b></p> <ul style="list-style-type: none"> <li>• Report incident to Police if criminal offence appears to have been committed.</li> <li>• Inform CQC of incident (Regulation 37 for Residential Care and Regulation 14 for Domiciliary Care)</li> <li>• Refer to Adult Services Team or Emergency Duty Service</li> <li>• Consider internal disciplinary action including the need for suspension</li> <li>• Consider if a referral to the ISA is necessary</li> <li>• Complete referral form interim</li> <li>• Devise and implement the Safeguarding Action/ Behaviour Plan</li> </ul>
<p><b>Information to be given when making a referral will include</b></p> <ul style="list-style-type: none"> <li>• Details of alleged victim (name, contact details, DOB, gender, ethnicity, principal language, any disability, any communication issues)</li> <li>• Name and contact details of GP</li> <li>• Reasons for the concerns, the context of these and how they came to light</li> <li>• A factual account of the seriousness of the situation</li> <li>• Any concerns or doubts about the person's mental capacity</li> <li>• Whether the person is aware of and has consented to the referral</li> <li>• Action already taken to protect the person</li> </ul>
<p><b>On-going Action</b></p> <ul style="list-style-type: none"> <li>• Participate in Police and/or Adult Services investigation</li> <li>• Ensure liaison between Police and Human Resources</li> <li>• Continue internal management investigation and seek HR advice on implications of Employment Legislation including contact with the ISA</li> <li>• Ensure staff member(s) implicated in the alleged abuse receive(s) necessary support.</li> </ul>



## Managers check list for compliance with Safeguarding procedures

<b><i>Ensure students safety using form provided</i></b>	
<b><i>Ensure all evidence is preserved</i></b>	
<b><i>Ensure all reporting and recording paperwork by self and staff is completed</i></b>	
<b><i>Ensure seriousness evaluation form has been completed</i></b>	
<b><i>Inform Safeguarding Manager or Assistant Principal (Residential Services) or member of SMT</i></b>	
<b><i>Ensure staff are supported</i></b>	
<b><i>Ensure risk assessment completed within 24 hours</i></b>	
<b><i>Ensure MCA is done if appropriate</i></b>	
<b><i>Ensuring <u>ALL STAFF</u> (to include all staff returning from sick leave/holiday) are made aware of action/behaviour plan put in place and have signed to show they have been given a copy of the plan</i></b>	
<b><i>Record any and all reasons for variation on time scales</i></b>	

<b>Policy/Procedure Communication and Implementation Action Plan - Amend and add to as appropriate</b>		
	<b>Action</b>	<b>Responsibility</b>
1	Ensure that all managers, employees and volunteers of Treloar Trust have access to the related procedures.	Treloar Leadership Team
2	Train all managers, employees and volunteers in the implementation of the policy and the related procedures.	Human Resources Director (delegated to Training Manager)
3	Ensure that all new employees, staff and volunteers are made aware of the policy, understand it, and know where to access a copy and where to access the related procedures.	Training Manager
4	Ensure that all managers, employees and volunteers of Treloar Trust have access to the related procedures.	All Managers
5	Ensure that all new employees, staff and volunteers know their responsibilities, and receive training in carrying these out.	All Managers

**Links to other related policies and procedures:** – set heading

**Further sources of information:** - set heading

## IMPORTANT NOTES:

It is essential for those with designated responsibilities to familiarise themselves with the sources of information, referred to above.

Policy documents describe mandatory minimum standards and will be subject to audit and review. Line managers are required to ensure suitable and sufficient arrangements are in place to meet policy requirements, including the provision of information and instruction to staff.