

## **SAFEGUARDING**

### **Vulnerable Adults and Child Protection Policy**

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#### **A Policy Statement**

Functional Skills UK (FSUK) has a responsibility towards safeguarding and promoting the welfare of young people receiving education and training with us. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- protecting children from maltreatment
- preventing impairment of children’s health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes.

**Throughout these policies and procedures, reference is made to “young people”. This term is used to mean “those under the age of 18”. However, FSUK also recognizes that some adults with learning difficulties and any adults who are vulnerable in any manner whatsoever, are to be protected within this policy. The term “young people” refers to all the above within this policy.**

The procedures will be applied to allegations of abuse and the protection of vulnerable adults.

We must wherever possible strive to:

- Provide a safe environment for young people to learn in
- Identify young people who are suffering, or likely to suffer, significant harm, and
- Takes appropriate action to see that such young people are kept safe, both at home and whilst attending our courses.
- Report immediately to MET GB College/Skills Training UK Training Academy any concerns we have regarding any of their learners.

In pursuit of these aims, FSUK will approve and review policies and procedures with the aim of:

- Raising awareness of issues relating to the welfare of young people and the promotion of a safe environment for young people learning with our organisation.
- Aiding the identification of young people at risk of significant harm, and providing procedures for reporting concerns
- Establishing procedures for reporting and dealing with allegations of abuse against members of staff
- The safe recruitment of staff
- FSUK will refer concerns that a young person might be at risk of significant harm to social services and the police where relevant.
- We promote our policy by directing all learners during inductions to our website where our policies are held. We give out wallet sized cards to all learners with clear details of where they are held on the website, along with contact details for head office.
- Tutors cover Safeguarding during courses, it forms part of their checklist of teaching topics.

### Covid 19 Online Teaching

Since March 2020 our delivery has been primarily online. Remote learning must hold Safeguarding in the same regard as classroom-based teaching. Please take these points into consideration when teaching:

1. If recording videos or livestreaming lessons, make sure to film in a neutral area where nothing personal or inappropriate can be seen or heard in the background. Zoom does have a virtual background option that you can use.
2. If communicating with students online, make sure the platform you are using is suitable for their age group. Also check the privacy settings.
3. FSUK have accounts for online platforms for you to use. Teachers should avoid using personal accounts. This also applies to communication via email.
4. FSUK have set out clearly when it is and isn't appropriate to contact learners at home. See Tutors/Assessors code of conduct.
5. Talk to learners regularly about the benefits and risks of the online world and give them space to ask questions.
6. Tell children and young people where they can go if they are worried about anything or need to talk to someone if FSUK is closed.

If adults are worried about children (under 18) they can get advice – 0808 800 5000 or [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Childline – 0800 1111 – via [childline.org.uk](http://childline.org.uk) you can email or start a live chat

FSUK recognise the following as definitions of abuse:

## **Abuse**

### **Indicators of abuse and neglect**

All school and college staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another. Abuse: a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children. Physical abuse: a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child. Emotional abuse: the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. 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. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone. Sexual abuse: involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education.

## **Neglect**

Neglect is the persistent or severe failure to meet a young person's basic physical and/or psychological needs. It will result in serious impairment of the child's health or development. Any child may benefit from early help, but all staff should be particularly alert to the potential need for early help for a child who:

- is disabled and has specific additional needs
- has special educational needs (whether or not they have a statutory Education, Health and Care Plan)
- is a young carer
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups
- is

missing from care or from home • is at risk of modern slavery, trafficking or exploitation • is at risk of being radicalised or exploited • is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse • is misusing drugs or alcohol themselves. Knowing what to look for is vital to the early identification of abuse and neglect. If staff are unsure, they should always speak to the designated safeguarding lead (or deputy).

### **Sexual Abuse - Whilst not intended to be an exhaustive list, sexual harassment can include:**

Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names; • sexual “jokes” or taunting; • physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and • online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include: • non-consensual sharing of sexual images and videos; • sexualised online bullying; • unwanted sexual comments and messages, including, on social media; and • sexual exploitation; coercion and threats The response to a report of sexual violence or sexual harassment The initial response to a report from a child is important. It is essential that all victims are reassured

### **Bullying**

Bullying can take many forms and may include threatening, inappropriate or abusive statements, made on social networks or via the internet in general.

### **Online**

The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm. An effective approach to online safety empowers a school or college to protect and educate the whole school or college community in their use of technology and establishes mechanisms to identify, intervene in, and escalate any incident where appropriate.

The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

- content: being exposed to illegal, inappropriate or harmful material; for example pornography, fake news, racist or radical and extremist views;
- contact: being subjected to harmful online interaction with other users; for example commercial advertising as well as adults posing as children or young adults;
- and • conduct: personal online behaviour that increases the likelihood of, or causes, harm; for example making, sending and receiving explicit images, or online bullying.

See FSUK website hub for organisations and resources that can help keep children safe online.

### **B Designated Staff with Responsibility for Child Protection**

Both Functional Skills UK and Brighton Swimming Centre have named Safeguarding personnel, their contact details are displayed in all training rooms and areas accessible to learners and staff. Named

personnel undertake refresher training annually either at workshops (Time to Listen), online (Hi-Speed Training). FSUK are committed to achieving all that this policy sets out.

All have received training in child protection issues.

The designated senior member of staff is responsible for:

- Overseeing the referral of cases of suspected abuse or allegations
- Providing advice and support to other staff on issues relating to child protection
- Maintaining a proper record of any child protection referral, complaint or concern (even where that concern does not lead to a referral)
- Ensuring that parents of young people within FSUK are aware of our child protection policy
- Liaising with appropriate agencies
- Liaising with employers, colleges and training organisations that we deal with.
- Ensuring that relevant staff receive basic training in child protection issues and are aware of FSUKs child protection procedures.

### **C Dealing with Disclosure of Abuse and Procedure for Reporting Concerns**

#### **If a young person tells a member of staff about possible abuse:**

- Listen carefully and stay calm.
- Do not interview the young person, but question normally and without pressure, to be sure that you understand what the child is telling you.
- Do not put words into the young person's mouth.
- Reassure the young person that by telling you, they have done the right thing.
- Inform the young person that you must pass the information on, but that only those that need to know about it will be told. Inform them of to whom you will report the matter.
- Make a detailed note of the date, time, place, what the young person said, did and your questions by completing the incident report form.

Staff should not investigate concerns or allegations themselves but should report them immediately to the Designated Person. The designated person will request an incident report form is completed. These forms are located in Head Office or alternatively can be emailed.

Incidents are logged on a password protected spreadsheet. Only Safeguarding and Welfare Officers have access to this spreadsheet.

If the learner is a learner of one of our funding providers –GBMET/Skills Training UK we should inform them immediately via their safeguarding officer and follow their procedures.

MET College has the following document for reference “safeguarding young people and vulnerable adults at MET College”. MET College Safeguarding staff poster are also displayed in all classrooms alongside FSUK posters.

FSUK designated Safeguarding Officer/s will then conduct an investigation and, if necessary, consult the relevant agency. Agencies are listed at the end of this policy.

At the point of referral to an external agency or closing the incident off the spreadsheet is updated and a date of sign off agreed. Any evidence from the incident is kept in a secured file.

## **D Reporting and Dealing with Allegations of Abuse against Members of Staff**

The procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers.

### **1 Introduction**

1.1 In rare instances, staff of education institutions has been found responsible for child abuse. Because of their frequent contact with young people, staff may have allegations of child abuse made against them. FSUK recognises that an allegation of child abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and that investigations are thorough and not subject to delay.

1.2 FSUK recognises that the Children Act 1989 states that the welfare of the child is the paramount concern. It is also recognized that hasty or ill-informed decisions about a member of staff can irreparably damage an individual’s reputation, confidence and career. Therefore, those dealing with such allegations within FSUK will do so with sensitivity and will act in a careful, measured way.

If staff have safeguarding concerns, or an allegation is made about another member of staff (including volunteers) posing a risk of harm to children, then:

- this should be referred to the management or MD;
- where there are concerns/allegations about the those people, then Brighton Swimming Centre management should be notified.

### **2 Receiving an Allegation from a Child**

2.1 A member of staff who receives an allegation about another member of staff from a young person should follow the guidelines for dealing with disclosure

2.2 The allegation should be reported immediately to the Managing Director, unless the MD is the person against whom the allegation is made, in which case the report should be made to the Manager of FSUK. Allegations against staff must be referred to LADO (Local Authority Designated Officer).

2.2.1 Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the MD (or designated person).

2.2.2 Record information about times, dates, locations and names of potential witnesses.

### 3 Initial Assessment by The MD (or designated person)

3.1 The MD (or designated person) should make an initial assessment of the allegation. **Where the allegation is either a potential criminal act or indicates that the child has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the appropriate authority.**

3.2 It is important that the MD (or designated person) does not investigate the allegation. The initial assessment should be based on the information received and is a decision whether or not the allegation warrants further investigation.

3.3 Other potential outcomes are:

3.3.1 The allegation represents inappropriate behavior or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the young person. The matter should be addressed in accordance with FSUK disciplinary procedures.

3.3.2 The allegation can be shown to be false because the facts alleged could not possibly be true.

### 4 Enquiries and Investigations

4.1 Child protection enquiries by social services or the police are not to be confused with internal, disciplinary enquiries by FSUK. FSUK may be able to use the outcome of external agency enquiries as part of its own procedures. The child protection agencies, including the police, have no power to direct FSUK to act in a particular way; however, FSUK should assist the agencies with their enquiries.

4.2 FSUK shall hold in abeyance its own internal enquiries while the formal police or social services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform to the existing staff disciplinary procedures.

4.3 If there is an investigation by an external agency, for example the police, the MD or designated person should normally be involved in, and contribute to, the inter-agency strategy discussions. The MD (or designated person) is responsible for ensuring that FSUK gives every assistance with the agency's enquiries. He/she will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made.

4.4 Subject to objections from the police or other investigating agency, the MD (or designated person) shall:

4.4.1 Inform the young person or parent/carer making the allegation that the investigation is taking place and what the likely process will involve.

4.4.2 Ensure that the parents/carers of the young person making the allegation have been informed that the allegation has been made and what the likely process will involve.

4.4.3 Inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve.

4.5 The MD (or designated person) shall keep a written record of the action taken in connection with the allegation.

## **5 Suspension of Staff**

5.1 Suspension should not be automatic. In respect of staff other than the principal, suspension can only be carried out by the MD.

5.2 Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary, act and shall be on full pay. Consideration should be given to alternatives: e.g. paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.

5.3 Suspension should only occur for a good reason. For example:

5.3.1 Where a young person is at risk.

5.3.2 Where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.

5.3.3 Where necessary for the good and efficient conduct of the investigation.

5.4 If suspension is being considered, the member of staff should be encouraged to seek advice, for example from a trade union.

5.5 Prior to making the decision to suspend, the MD should interview the member of staff.

5.6 During the interview, the member of staff should be given as much information as possible, the reasons for any proposed suspension, provided that doing so would not interfere with the investigation into the allegation. The interview is not intended to establish the member of staff's innocence or guilt, but given the opportunity for the member of staff to make representations about possible suspension. The member of staff should be given the opportunity to consider any information given to him/her at the meeting and prepare a response, although that adjournment may be brief.

5.8 If the MD considers that suspension is necessary, the member of staff shall be informed that he/she is suspended from duty. Written confirmation of the suspension, with reasons, shall be dispatched as soon as possible and ideally within one working day.



5.9 Where a member of staff is suspended, the MD should address the following issues:

5.9.4 The parents/carers of the young person making the allegation should be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the child making the allegation of the suspension

5.12 The suspension should remain under review in accordance with FSUK disciplinary procedures.

## **6 The Disciplinary Investigation**

6.1 The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures.

6.2 The member of staff should be informed of:

6.2.1 The disciplinary charge against him/her.

6.2.2 his/her entitlement to be accompanied or represented by a trade union representative or friend.

6.3 Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension should be lifted immediately, and arrangements made for the member of staff to return to work. It may be appropriate to offer counseling.

6.4 The young people making the allegation and/or their parents should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to FSUK of the member of staff (if suspended).

**7 Allegations without foundation: the following processes should be considered.**

7.2.1 Inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or child protection action will be taken. Consideration should be given to offering counseling/support.

7.2.2 Inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.

7.2.3 Where the allegation was made by a young person other than the alleged victim, consideration to be given to informing the parents/carers of that child.

7.2.4 Prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.

## **8 Records**

8.1 It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the member of staff's personal and confidential file. The Safe within Sussex Functional Skills Centre would be suitable if this situation occurred.

## **E Recruitment and Selection Procedures (DBS Procedures)**

FSUK should assess the risk to learners when a new member of staff commences employment.

Such employees must either:

- (a) produce a CRB/DBS clearance document from an existing employer (which is less than 12 months old)
- (b) Or submit to our own CRB/DBS system operated in conjunction with FSUK.

Employees in (a) must complete a CRB/DBS check within 12 months of starting with FSUK.

All staff will be asked to undertake new DBS clearance every 3 years, unless concerns are raised whereupon we will apply for a renewal ASAP. FSUK keep a centralized record of our staff and tutor's latest check numbers, we also have paper copies in a centralised file which is locked securely in the Portslade office.

### **The following processes must also be followed:**

- The post or role is to be clearly defined.
- The key selection criteria for the post or role can be identified.
- Vacancies are to be advertised widely to ensure a diversity of applicants.
- Requirement of documentary evidence of academic & vocational qualifications.
- Obtaining of professional and character references.
- A probationary period and supervision of the person should take place
- Verification of previous employment history.

**Additional advice and support Abuse or Safeguarding issue Link to Guidance/Advice Source**

## **Abuse**

**What to do if you're worried a child is being abused: DfE advice**

**Domestic abuse: Various Information/Guidance Home Office**

**Faith based abuse: National Action Plan DfE advice**

**Relationship abuse: disrespect nobody Home Office website**

**Bullying Preventing bullying including cyberbullying: DfE advice**

## **Children and the courts**

**Advice for 5-11-year olds witnesses in criminal courts: MoJ advice**

**Advice for 12-17 year old witnesses in criminal courts: MoJ advice**

**Children missing from education, home or care**

**Children missing education: DfE statutory guidance**

**Child missing from home or care: DfE statutory guidance**

**Children and adults missing strategy: Home Office strategy**

**Children with family members in prison**

**National Information Centre on Children of Offenders Barnardo's in partnership with Her Majesty's Prison and Probation Service (HMPPS) advice**

## **Child Exploitation**

**County Lines: criminal exploitation of children and vulnerable adults Home Office guidance**

**Child sexual exploitation: guide for practitioners DfE**

**Trafficking: safeguarding children DfE and HO guidance**

## **Drugs**

**Drugs: advice for schools: DfE and ACPO advice**

**Drug strategy 2017: Home Office strategy**

**Information and advice on drugs: Talk to Frank website**

## **Abuse or Safeguarding issue**

**Link to Guidance/Advice Source**

**ADEPIS platform sharing information and resources for schools: covering drug (& alcohol) prevention: Website developed by Mentor UK**

**“Honour Based Violence” (so called)**

**Female genital mutilation: information and resources Home Office**

**Female genital mutilation: multi agency statutory guidance DfE, DH, and HO statutory guidance**

**Forced marriage: information and practice guidelines: Foreign Commonwealth Office and Home Office**

## **Health and Wellbeing**

**Fabricated or induced illness: safeguarding children: DfE, Department for Health and Home Office**

**Rise Above: Free PSHE resources on health, wellbeing and resilience**

**Public Health England resources**

**Medical-conditions: supporting pupils at school DfE statutory guidance**

**Mental health and behavior: DfE advice**

**Homelessness: How local authorities should exercise their functions HCLG**

**Online Sexting: responding to incidents and safeguarding children UK Council for Child Internet Safety**

**Private fostering Private fostering: local authorities DfE - statutory guidance**

**Radicalisation**

**Prevent duty guidance: Home Office guidance**

**Prevent duty advice for schools: DfE advice**

**Educate Against Hate Website DfE and Home Office**

**Violence**

**Gangs and youth violence: for schools and colleges: Home Office advice**

**Ending violence against women and girls 2016-2020 strategy: Home Office strategy**

**Violence against women and girls: national statement of expectations for victims**

**Home Office guidance**

**Sexual violence and sexual harassment between children in schools and colleges: DfE advice**

**Serious violence strategy: Home Office Strategy**

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**Learners enrolled on behalf of Prime Further Education Providers.**

Learners enrolled via a funded learning programme on behalf of our Prime Learning Providers detailed below have the right to take any issue up directly with them directly.

Greater Brighton Metropolitan College (GBMET), 1A Pelham Street, Brighton, BN1 4FA  
01273 667788

Skills Training UK, 12<sup>th</sup> Floor, York House, Empire Way, Wembley, HA9 0PA  
Tel: 0208 7958222

**Agencies (not extensive, but covering our main operating areas):**

**Brighton & Hove City Council:**

Family Information Service: 01273 293545

Front Door for Families (Previously MASH): 01273 290400

**The LADO for Brighton and Hove City Council is:** Darrel Clews, Safeguarding Team, Children's Services, Moulsecomb Hub North Building, Hodshrove Lane, Brighton, BN2 4SE

**Tel:** 01273 295643

Safeguarding Vulnerable Adults – Access point – 01273 295555

**West Sussex County Council MASH:**

Telephone: 01403 229900

Out of hours: 0330 2226664/07711 769657

Email: [MASH@westsussex.gov.uk](mailto:MASH@westsussex.gov.uk)

**Medway Contact details:**

Medway Safeguarding Children's Partnership: 01634 336329

Children Services Social Care: 01634 334466

Medway out of hours: 03000 419191

LADO: 01634 331065

Signed:



Name & Position: Paul Smith MD

Date: December 2020

Review Date: December 2021