

POLICY STATEMENT

SAFEGUARDING VULNERABLE GROUPS

What is safeguarding?

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

‘Agencies [and organisations] working with children and young people take all reasonable measures to ensure that the risks of harm to the individual’s welfare are minimised; and

Where there are concerns about children and young people’s welfare, all agencies [and organisations] should take all appropriate actions to address those concerns, working to agreed local policies and procedures, working in partnership with other local agencies’.

Who are we safeguarding?

2.1 Safeguarding practices are most commonly applied to children and young people under the age of eighteen. The Children Act 1989 defines a 'child' as a person under the age of 18. The Management of Health and Safety Regulations 1999 regard a 'child' as a person who is not over the minimum school leaving age and a 'young person' as a person who has not attained the age of 18. For the purpose of this policy, a 'child' is under 16 and a 'young person' is over 16 but under 18. Both children and young people are included in this policy.

2.2 Key aspects of legislation have recently been extended to include similar standards of protection to 'vulnerable adults'. A vulnerable adult is defined as a person aged eighteen or over, who has either a dependency upon others in the performance of, or a requirement for, assistance in the performance of basic functions; a severe impairment in the ability to communicate with others; or has a reduced ability to protect themselves from assault, abuse or neglect. This can be as a result of a learning or physical disability; a physical or mental illness chronic or otherwise; or a reduction in physical or mental capacity.

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3 Regulated activities include:

- Any activity which involves contact with children or vulnerable adults and is of a specified nature (eg teaching, training, care, supervision, advice, treatment or transport) frequently, intensively and/or overnight
- Any activity allowing contact with children or vulnerable adults and is in a specified place (eg schools, care homes, etc) frequently or intensively
- Fostering and childcare
- Certain defined positions of responsibility (eg. school governor, director of social services, trustees of certain charities)

3.1 Darley Training aims to provide a safe and secure environment for all students, staff and individual visitors who access its facilities and services.

3.2 Darley Training recognises its particular responsibility to safeguard the wellbeing of children, young people and vulnerable adults engaged in the breadth of Darley Training's 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, young people and vulnerable adults.

3.3 Darley Training seeks to ensure that its policy and procedures comply with its statutory duties, reflect guidance and good practice in safeguarding children, young people and vulnerable adults, and that safeguarding arrangements are proportionate and based upon common sense.

3.4 Darley Training recognises that it has a duty to help staff and students (through guidance, support and training), to promote safe working practices in order to minimise risk to vulnerable individuals and protect staff and the institution from the possibility of false allegations. It is not intended that staff should be restricted from normal ways of working, but staff are advised to consider how an action may be perceived. Guidelines for Working with Children, Young People and Vulnerable Adults are in Appendix 1

4. Safeguarding Structure And Responsibilities

4.1 Darley Training has in place an organisational structure for safeguarding children, young people and vulnerable adults.

4.5 Staff and students working in direct contact with vulnerable individuals on a day-to-day basis (i.e. staff involved in teaching and providing pastoral guidance to students) may come across signs of harm and/or abuse. Staff need to ensure that any concerns for the wellbeing of a child, young person or vulnerable adult are reported to the appropriate Learner Support Officer (LSO).

4.6 The LSO will invoke the appropriate procedures to protect the child, young person or vulnerable adult, involving Social Services and the Police as appropriate. Where staff members are unsure and need guidance about safeguarding issues, they are encouraged to seek support from the LSO.

4.7 External organisations such as Victim Support can provide support for children, young people and vulnerable adults who disclose that they have been or are being abused or are the victim of other inappropriate behaviour.

4.8 Where an allegation of abuse or inappropriate behaviour is made against a member of staff, in addition to actions set out in paragraph 4.5 above, senior management will advise and guide the line manager of the member of staff against whom allegations have been made in relation to employment and disciplinary issues.

4.9 It is the responsibility of the centre management to review this policy as necessary from time to time.

5. 'Control Measures'/Procedures -

5.1 Students

51.1 Darley Training takes a risk management approach to safeguarding vulnerable groups, in organising learning and teaching, and delivery of services to students and the public. Schools and Services are required to carry out risk assessments, and make reasonable, proportionate adaptations to their activities.

5.1.2 Darley Training reserves the right to refuse to admit a child, young person or vulnerable adult to a programme of study, or other provider-managed activities, if it judges that the adaptations necessary to safeguard that individual's wellbeing go beyond what is reasonable and proportionate.

5.1.3 Where adaptations are reasonable and proportionate, Darley Training then puts in place a number of 'control measures' (in the language of health and safety) in order to safeguard the wellbeing of vulnerable groups. These control measures are kept under review, and amended as necessary, by the Safeguarding Working Group.

5.1.4 Except in relation to 5.1.5 below, Darley Training has a limited power to ask about unspent criminal convictions on admission as a student and where, in the course of exercising that power, a conviction is disclosed which indicates that the individual poses a clear risk to vulnerable groups, Darley Training has the right to deny admission as a student. (See Appendix 5 for the Procedures to be followed when candidates indicate that they have a criminal record.)

5.1.5 As a condition of admission to certain programmes of study, where they will come into close contact with vulnerable groups (typically in childhood studies, health and social care), students are required to undergo an enhanced Criminal Records Bureau check prior to the commencement of placement activity. Darley Training is obliged to refuse admission if the CRB disclosure, on a reasonable assessment, would disqualify the applicant from entering placement or practising as the relevant health/social care professional.

5.1.6 Darley Training does not consider it practicable to take steps other than those described in paragraphs 6.1.2 and 6.1.3 above, to vet the backgrounds of students who, during the course of learning and teaching activities and administrative activities, come into contact with other students who are children, young people or vulnerable adults. Darley Training takes a risk management approach to organising curriculum and service delivery; Schools and Services carry out a risk assessment, and make reasonable adaptations to the delivery of curriculum and/or services.

5.2 Staff

5.2.1 All centre staff members, contractors and volunteers are advised to minimise physical contact with students, except for reasons of health and safety, or where physical contact may be a necessary part of learning (e.g. safe manual handling of patients, for health-related study) or the provision of personal care (e.g. volunteers working as carers to disabled students).

5.2.2 Darley Training has a responsibility for the safety of the learning community, and therefore reserves the right to deny employment to individuals where CRB checks suggest that they might pose a danger to that community. Darley Training is creating new policies where necessary and reviewing all of its policies, processes and procedures in order to fully comply with the Safeguarding Vulnerable Groups Act 2006.

5.2.3 Darley Training reserves the right, in accordance with its employment procedures, to suspend and/or dismiss staff members from employment or from undertaking a specific role with respect to that employment (e.g. academic staff acting as personal tutor). This may be in circumstances where the individual acquires or extends a relevant criminal record, or where they have withheld information about their criminal record at the point of employment. Disciplinary action may also be taken against staff, in accordance with Darley Training's employment procedures, for a failure to comply with this policy.

5.2.4 Darley Training recognises its responsibility for the wellbeing of staff. Any staff member who considers that they themselves may be a vulnerable adult, can seek support from Darley Training Occupational Health service and the Staff Counselling Service. In certain circumstances, it may also be appropriate for the staff member to

seek additional help and guidance from the individual's trade union.

These sources of support are available equally to a member of staff who faces allegations of inappropriate behaviour, abuse and/or neglect.

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

5.2.6 Darley Training obtains enhanced CRB disclosures for all staff and volunteers working in 'regulated positions' (as defined by the Criminal Justice and Court Services Act 2000). Darley Training has procedures to evaluate information about any staff member's or volunteer's criminal record, and making sensible, fair and consistent judgements about whether the individual is safe to engage (or remain engaged) in the employment role, office or voluntary activity.

5.2.7 Occasionally staff are engaged in roles that are not 'regulated positions', yet are involved in activities that may also involve children or vulnerable adults. Darley Training takes a risk management approach to delivery of learning and teaching and other activities involving the wider public.

5.3 External organisations

5.3.1 Occasionally Darley Training facilities are hired by external organisations, under these arrangements Darley Training has no control over, and assumes no liability for, the conduct of individuals from these organisations. However, Darley Training wishes to ensure, as far as it is able, that these organisations are not abusing vulnerable people and that they are able to deal with any such disclosures appropriately.

5.3.2 All external organisations requesting use of centre facilities for activities with vulnerable people will be required to confirm that the organisation has obtained the appropriate checks on their staff and volunteers before permitting such individuals to have access to vulnerable people. In addition, the organisation will be asked to confirm that they have a safeguarding policy in place.

5.3.3 If an organisation that works with vulnerable people does not have a vulnerable people policy, then they will not be permitted to use centre facilities. This includes existing users of centre facilities.

5.3.4 Persons working in a regulated position who are not directly employed by Darley Training -but are employed by contractors (or sub-contractors) -will also undergo criminal record clearance and checks against the statutory child protection/vulnerable adult lists. However, these checks will have to be carried out by their employer - and Darley Training will ensure that these obligations are reflected where possible in any contract between Darley Training and the contractor. Contract staff without such clearance will not be permitted unsupervised access to children under any circumstances.

5.4 Other groups

5.4.1 Where children of students, staff members or visitors are present on Darley Training premises, they remain the responsibility of their parent/guardian or those acting in loco parentis such as teachers, unless they are

enrolled as students, or are otherwise involved in a centre-managed activity

5.4.2 Safeguarding the wellbeing of children visiting the centre (without their parent/guardian) is the responsibility of the organiser of the activities in which the child is participating.

6. Insurance

Darley Training has a duty of care to all staff, students and visitors, and has in place, both Employer's Liability and Public Liability covers for its legal liability.

Key contacts:

Safeguarding	Title	Name	Email
Principal Safeguarding Officer	Director	Alistair Brindle	a.brindle@darleytraining.com
Designated Safeguarding Officer	Tutor	Ruth edson	r.edson@darleytraining.com

Appendix 1

Guidelines for Staff Working with Vulnerable Groups

Principles

These guidelines reflect the principles that:

- The welfare of children, young people and vulnerable adults is paramount.
- All children, young people and vulnerable adults should be treated with respect and dignity.
- Staff should understand their responsibilities to safeguard and promote the welfare of children, young people and vulnerable adults.
- All members of Darley Training should demonstrate exemplary behaviour when working with children, young people and vulnerable adults in order to protect them from abuse and to protect themselves from false allegations.
- Staff should discuss and/or take advice promptly from the Designated Safeguarding Officer (DSO) about any incident or behaviour which may give rise to concern.
- Any allegations or suspicions of abuse should be reported immediately to the Designated Safeguarding Officer or Deputy Designated Safeguarding Officer (DDSO).
- Staff should be aware that breaches of the law and other professional guidelines could result in disciplinary or criminal action being taken against them.
- Staff should know the procedures for handling allegations against staff and to whom they should report concerns.

Working with children and young people

You should :

- Maintain a register of children and young people working with you at any given time.
- Work in an open environment avoiding private or unobserved situations and encouraging

- open communication. Avoid spending time alone with children or young people away from others.
- Treat all children and young people equally, with respect and dignity.
- Always put the welfare of the child or young person first.
- Maintain a safe and appropriate distance with children and young people. It is not appropriate for staff, students or volunteers to have an intimate relationship with a child or young person.
- Ensure that if any form of manual/physical touching is required, it should be provided openly. In sporting situations, this should be according to guidelines provided by the Department of Physical Recreation and the appropriate National Governing Body.
- Involve parents/carers/teachers wherever possible, e.g. by encouraging them to take responsibility for the children and young people in their care in changing rooms or the laboratory.
- Be an excellent role model.
- When feedback is necessary give enthusiastic and constructive feedback rather than negative criticism.
- Keep a written record of any injury that occurs, along with the details of any treatment given.
- Attend relevant training courses that Darley Training provides.

You should never:

- Engage in rough physical games, or those that could be considered as sexually provocative.
- Share a room overnight with a child or young person.
- Go into a child's or young person's room unless absolutely necessary. (If it is necessary, two members of staff should enter, preferably a male and a female.)
- Allow or engage in any form of inappropriate touching.
- Allow children, young people or colleagues to use inappropriate language unchallenged.
- Make comments to a child or young person, even in fun, that could be construed as sexually provocative.
- Deliberately reduce a child or young person to tears as a form of control, belittle or demean a child or young person or use emotional abuse.
- Allow allegations made by a child or young person to go unrecorded or not acted upon.
- Invite or allow children or young people to stay with you at your home unsupervised.
- Do things of a personal nature for children or young people that they can do for themselves. (It may sometimes be necessary for staff or volunteers to do things of a personal nature for children or young people, particularly if they are young or are disabled. These tasks should only be carried out with the full understanding and consent of parents/carer or teacher and, where possible, the child or young person. There is a need to be responsive to a child's or young person's reactions, talk with him/her about what you are doing and give choices where possible. This is particularly so if you are involved in any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a child or young person to carry out particular activities. Avoid taking on the responsibility for tasks for which you are not appropriately trained). Sports and some research activities involving children or young people may necessitate physical contact. It is important for adults to understand what is appropriate within such activities, to avoid anything that could be misunderstood, and for such activities to be supervised.
- Transport children or young people on your own in a vehicle except in emergency situations
- Spend time alone with a child or young person. If you are in a situation where you are alone with a child or young person, make sure that you can be clearly observed or seen by others.

Working With Vulnerable Adults

A common sense approach should be taken to applying the guidelines listed above as far as they are appropriate.

There are situations, such as in the provision of personal care to a disabled person, where it will be necessary to have a degree of physical contact in a one-to-one situation. The key principle is that the person should be treated with respect and dignity and that their consent should be obtained to any action taken.

Recognition Of Abuse

Abuse can and does occur both within families and in institutional or community settings. Darley Training acknowledges that some individuals seek to use voluntary and community organisations to gain access to vulnerable people, and that it is necessary to have an open mind when the possibility arises that a member of Darley Training is suspected of abuse or inappropriate activity. The following may indicate that abuse is taking place:

- Unexplained or suspicious injuries, particularly if such an injury is unlikely to have occurred accidentally.
- An injury for which the vulnerable person's explanation appears inconsistent.
- The vulnerable person describes an abusive act or situation.
- Unexplained changes in behaviour.
- Inappropriate sexual awareness or sexually explicit behaviour.
- Apparent mistrust of others.
- The vulnerable person is not allowed to be involved in normal social activities.
- The vulnerable person becomes increasingly dirty or shabby.
- The quality of their academic work deteriorates.

What To Do If Abuse Is Reported Or Suspected

The recognition of abuse is not always easy and Darley Training acknowledges that its staff are not experienced in this area and will not easily know whether or not abuse is taking place. Indeed, it is not the place of centre members to make such a judgement. However, it is their responsibility to act on concerns in order to safeguard the welfare of vulnerable groups.

Any concerns should be reported to the Designated Safeguarding Officer for the activity or programme concerned or the Principal Safeguarding Officer (PSO). (See Referral Form in Appendix 3)

Every effort should be made to maintain confidentiality. Suspicions must not be discussed with anyone else on campus other than those nominated above.

The Principal Safeguarding Officer has the responsibility to act on behalf of Darley Training in dealing with allegations or suspicion of abuse or neglect. This will include collating details of the allegation or suspicion and referring the matter to the appropriate statutory authorities.

NB: It is the task of Social Services, not Darley Training, to assess the information given to them and to decide whether to investigate the matter further, under section 47 of the Children Act 1989.

Under no circumstances should members of Darley Training carry out their own investigation into suspicions or allegations of abuse, neither should they question victims closely, as to do so may contaminate evidence and obstruct any investigation that may be carried out subsequently by the Police or Social Services.

Incidents That Must Be Reported/Recorded

- If a vulnerable person is accidentally hurt.
- If you are concerned that a relationship is developing that could represent an abuse of trust.
- If you are concerned that the vulnerable person is becoming attracted to you or a colleague who cares for them.
- If you are concerned that a colleague is becoming attracted to someone in his/her care.
- If a vulnerable person misunderstands or misinterprets something you have done.
- If you have had to use reasonable physical restraint to prevent a vulnerable person harming themselves, or another, or from causing significant damage to property.
- If a vulnerable person makes an allegation of abuse
- If you see any suspicious marks on a vulnerable person
- If you notice sudden changes in behaviour

Responding To Suspicions Of Abuse

If a vulnerable person says something or acts in such a way that abuse is suspected, the person receiving the information should:

- React in a calm but concerned way.
- Tell the vulnerable person that s/he is right to share what has happened; and that s/he is not responsible for what has happened.
- Take what the vulnerable person says seriously.
- Keep questions to an absolute minimum only to clarify what the vulnerable person is saying; not to interrogate.
- Not interrupt the vulnerable person when they are recalling significant events.
- Reassure the vulnerable person that the problem can be dealt with.
- Do not give assurances of confidentiality which cannot be kept but should reassure the vulnerable person that the information will only be passed on to those people who need to know.
- Make a full record of what is said and done, though this should not result in a delay in reporting the problem.

The record should include:

- A verbatim record of the disclosure. This may be used later in a criminal trial and it is vital that what is disclosed is recorded as accurately as possible. Do not ask leading questions. The record must be drafted in the vulnerable person's words and should not include the assumptions or opinions of others.
- A nature of the allegation or concern.
- A description of any visible physical injury (clothing should not be removed to inspect the injury).
- The vulnerable person's account of what has occurred.
- Any dates, times or places and any other potentially useful information.
- The problem should be reported **IMMEDIATELY** to the Designated Safeguarding Officer who will alert the Principal Safeguarding Officer to take the appropriate action. If the concern arises out of normal office hours (evenings and weekends), contact should be made with the Social Services Emergency Duty Team on 01792 775501 Advice can also be sought from the NSPCC 24 hour helpline on 0800 800500 or from the Police child protection team on 0116 2222222.
- It is recognised that staff may need support after receiving a disclosure and will be offered appropriate

counselling.

Whistleblowing

Whistleblowing is an important aspect of a safeguarded institution whereby staff, student mentors and volunteers are encouraged to share genuine concerns about a colleague's behaviour in confidence, with a Designated Safeguarding Officer, line manager or senior manager.

Working with vulnerable people places staff and volunteers in positions of power. In order to retain the trust of vulnerable people, it is essential that all reasonable steps are taken to ensure this power is exercised responsibly.

There may be situations whereby staff or volunteers have genuine concerns about the conduct of a colleague towards a participant. All members of Darley Training have the right and the responsibility to raise concerns, without prejudice to their own position, about the behaviour of staff, managers, volunteers, students or others, which may be harmful to those in their care and will receive appropriate support when doing so.

In accordance with the Public Interest Disclosure Act 1988, Darley Training will support and protect those staff and students who, in good faith and without malicious intent, report suspicions of abuse or concerns about colleagues and their actions.

Whistleblowing should be part of transparent work practices and is not intended to set up mistrust or suspicion among staff and volunteers.

Staff who want to get free confidential advice about whistleblowing can contact Public Concern at Work on 020 7404 6609 or visit their website at: www.pcaew.org.uk.

Allegations Or Suspicion Of Abuse Against A Member Of Darley Training

This can be an extremely difficult issue to deal with. It can be difficult to accept that a colleague may deliberately harm a vulnerable person. It may also be that the behaviour that causes concern is bad practice rather than abuse. Any concerns should be reported to the Designated Safeguarding Officer in the first instance. Concerns about the Designated Safeguarding Officer should be reported to the Principal Safeguarding Officer.

It is important that any response is properly co-ordinated and that events are managed in the right order. For this reason, Darley Training will take no direct action against a member of Darley Training without the advice and agreement of the investigating agencies (e.g. the police, NSPCC or Social Services), except where such action is necessary to protect a vulnerable person.

If, following consideration and any consultation, the concern is clearly about bad practice rather than abuse, Darley Training will take the necessary action to advise, manage or instigate disciplinary action against the member of Darley Training about whom the allegation has been made.

Irrespective of the outcome of any Police or Social Services investigations, Darley Training may consider suspension and/or disciplinary action in accordance with its published disciplinary procedure.

Concerns Of Possible Abuse Outside Darley Training

As a result of their contact with a vulnerable person, members of Darley Training may become concerned that the person is being abused by someone unconnected with Darley Training. In these circumstances the individual should report their concerns to the Principal Safeguarding Officer.

11. Allegations Of Abuse By An Individual From An External Organisation Using Darley Training Facilities

A vulnerable person who attends the centre through an external organisation may make an allegation of abuse to a member of Darley Training about an adult member of that external organisation. In this situation, the member of Darley Training will report the allegation to the Principal Safeguarding Officer. The PSO will report the matter to the external organisation and will notify the Lead Safeguarding Officer of their action. Darley Training expects the organisation to follow its own safeguarding policy and will require confirmation that the appropriate action has been taken. In addition, the Lead Safeguarding Officer will consider whether it is permissible to allow the external organisation continued use of the facilities during the investigation period and beyond.

Responsibilities of Safeguarding Officers

Learner Safeguarding Officer (LSO):

- To be accountable for the institution's safeguarding practice
- Ensuring that safeguarding is afforded utmost priority at the most senior level within the institution
- Ensuring there is a staff structure and committee structure in place to fulfil safeguarding responsibilities
- Ensuring that funding and Human Resources are available to fulfil safeguarding responsibilities
- Ensuring procedures are in place for managing allegations against staff, safeguarding, whistleblowing and safe recruitment practices. This should include any press strategy.
- Ensuring that secure records of safeguarding concerns are stored and shared appropriately.
- To create links with the local authority Children's Services Teams
- Ensuring that monitoring review systems are in place to incorporate new guidance and legislation and to test out existing systems.

Principal Safeguarding Officers (PSO)

Referrals:

- Refer cases of suspected abuse or allegations to the relevant investigating agencies
- Act as a source of support, advice and expertise within Darley Training when deciding to make a referral by liaising with relevant agencies
- Liaise with the Lead Safeguarding Officer to inform him/her of any issues and ongoing investigations and ensure there is always cover for this role.

Training:

- They should be trained to identify signs of abuse and when it is appropriate to make a referral

- Training in whistleblowing.
- Have a working knowledge of how (LSCBs) operate, the conduct of a safeguarding case conference or strategy meeting and be able to attend and contribute to these effectively when required to do so
- Ensure each member of staff has access to and understands the Safeguarding Policy especially new or part time staff who may work with different educational establishments
- Ensure all staff have induction training covering Safeguarding and are able to recognise and report any concerns immediately they arise
- Be able to keep detailed, accurate and secure written records of referrals/concerns
- Obtain access to resources and attend any relevant or refresher training courses at least every two years.

Raising Awareness:

- Ensure Darley Training Safeguarding Policy is updated and reviewed regularly.
- Ensure that all relevant parties are informed of and able to access Darley Training Safeguarding Policy.

Designated Safeguarding Officer (DSO):

- Ensure the programme or activity is planned, organised and delivered in accordance with this policy
- Devise the means by which the policy is implemented
- Provide any safeguarding statement or documentation for the programme or activity additional to this policy
- Training in whistleblowing.
- Arrange the training, induction and guidance for all staff and volunteers appropriate for the programme or activity concerned, which includes drawing attention to this policy
- Inform the Lead and Principal Safeguarding Officers of specific safeguarding measures for the programme or activity, including the name of a designated Deputy Safeguarding Officer.

Under 18's Policy & Procedure

Darley Training has a duty of care towards all its students, staff and visitors. In the case of students joining Darley Training before their 18th birthday, this duty is enhanced as such students are regarded as children under UK law.

In admitting students under the age of 18 Darley Training must ensure that the following legal obligations are recognised and discharged:

- Anyone under 18 is, as a matter of law, a child.
- Darley Training will have special duties of care towards a child.
- Darley Training should inform the parents that it is not in loco parentis
- Darley Training should have a list of the child's emergency contact details, in particular those of parents and guardians.

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