

# Safeguarding and Prevent Policy & Procedures

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# SAFEGUARDING AND PREVENT POLICY & PROCEDURES

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## 1. INTRODUCTION

- 1.1 Addysg Oedolion Cymru | Adult Learning Wales (AOC|ALW) is committed to raising staff awareness of all aspects of learner welfare and safeguarding, preventing abuse where possible and ensuring that robust procedures are in place for dealing with incidents of abuse.
- 1.2 We are committed to providing an environment where our learners can feel safe and secure while learning and have the right to be protected from harm.
- 1.3 We recognise our responsibility to safeguard the wellbeing of learners who are enrolled on our courses or activities, and will endeavour to provide support which matches their individual needs.
- 1.4 We are committed to taking appropriate measures to keep learners safe from abuse, victimisation, bullying, exploitation, extreme behaviours, discriminatory views, being drawn into extremism and risk taking behaviours. This includes working in partnership with other local/national agencies to put in place appropriate procedures for reporting, making referrals, and accessing training and specialist support as and when required.
- 1.5 We also recognise our responsibility to comply with the Counter-Terrorism and Security Act 2015; the Revised Prevent Duty Guidance for England and Wales, July 2015 and best practice in the creation of a "Safe Learning Community" and we seek to ensure that our policy and procedures comply with statutory duties; reflect guidance and good practice in safeguarding, and that safeguarding arrangements are proportionate and based upon common sense.
- 1.6 **Other related policies, procedures and guidance documents:**
  - Strategic Equality Plan
  - DBS and Criminal Convictions Policy
  - Data Protection Policy
  - Learner Support Policy
  - Learner Code of Conduct
  - Learner Handbook
  - Acceptable Use Policy – IT Network
  - Whistleblowing Policy

## 2. SCOPE

- 2.1 This policy applies to all staff who are employed on a full-time, part time or sessional basis, support workers and volunteers. It also applies to organisations where learners are on placement / work experience and in sub-contracted provision.
- 2.2 The policy is in place to safeguard against all types of abuse which may be:

- **Bullying** - Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.
- **Controlling behaviour** – is a range of acts designed to make a person subordinate and / or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
- **County lines** – refers to a model used by criminal gangs to supply drugs. These gangs frequently exploit children and vulnerable adults to courier drugs and money to other areas. Some vulnerable adults have their homes taken over by gangs (cuckooing) using force or coercion.
- **Cyber abuse** – using the internet and mobile phone or social media platforms to bully someone on-line.
- **Discriminatory** – abuse motivated by discriminatory attitudes, for example towards race, religion, culture, gender, disability, sexual orientation.
- **Domestic abuse** – any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass but is not limited to psychological, physical, sexual, financial and emotional forms of abuse.
- **Drug dealing**- using the learning environment as a means to deal drugs is strictly forbidden and will be considered as a serious safeguarding matter to be reported to the police.
- **Emotional** – behaviour which has a harmful effect on emotional health and development, for example, insults, threats, humiliation, all kinds of hate crime, bullying (including cyber bullying) and includes unreasonable exertion of influence or controlling behaviour over an individual.
- **Extremism** - vocal or active opposition to the values of democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.
- **Female Genital Mutilation** – in the UK, all forms of FGM are illegal under the Female Genital Mutilation Act 2003 whether in the UK (regardless of their nationality and residence status), and for UK nationals or Permanent UK residents to perform FGM abroad or to assist FGM carried out abroad.
- **Forced Marriage** – where at least one party does not consent to the marriage and some element of duress is involved. Forced marriage is a criminal offence, under the Anti-social Behaviour, Crime and Policing Act 2014. This includes, taking someone overseas to force them to marry (whether or not the forced marriage takes place); marrying someone who lacks the mental capacity to consent to marriage; breaching a Forced Marriage Protection Order.
- **Financial abuse** – may include theft, fraud, exploitation and pressure with wills, property, inheritance or financial transactions. It may include misuse or misappropriation of property, possessions or benefits by someone who has been trusted to handle their finances or who has assumed control of their finances by default.
- **Grooming**, including on-line grooming – occurs when someone builds an emotional connection with another person to gain their trust for the purposes of future sexual abuse or other exploitation.

- **Institutional** – accepted working practices or procedures of a service have an abusive effect on some or all users of that service, for example lack of privacy or supervision, lack of choice and consideration.
- **Medical neglect** – is the failure to provide appropriate health care, medication or treatments for a child or vulnerable adult.
- **Modern Slavery / Forced Labour** – working for very little, in poor conditions, for long hours. Could include forced criminality and sexual exploitation.
- **Neglect** – a lack of care, for example insufficient food, medication not given, lack of access for personal hygiene. Emotional neglect is when children are deprived of love and affection.
- **Physical abuse** – the use of force resulting in pain or injury, for example by hitting, shaking, and burning.
- **Psychological abuse** – includes threats of harm, control, intimidation, coercion, harassment, verbal abuse, enforced isolation or withdrawal from services or support networks. Humiliation, bullying, shouting or swearing can also be seen as abuse.
- **Radicalisation** – the process by which an individual or group comes to adopt increasingly extreme political, social, or religious ideals and aspirations that reject or undermine the status quo or reject and/or undermine contemporary ideas and expressions of freedom of choice.
- **Self-neglect** including substance abuse, eating disorders and hoarding, self-harming or failing to seek or manage a health condition responsibly.
- **Sexual abuse** – the involvement in sexual activity which is unwanted or not understood or with a minor. This could be forced marriage, child sexual exploitation, harassment, teasing or innuendo.
- **Sexual exploitation** – occurs when a child or young person, or another person, receives 'something' (for example, goods, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of the child / young person performing sexual activities, or another person performing sexual activities on the child / young person.

### 3. PURPOSE

3.1 The purpose of the Safeguarding and Prevent Policy and Procedure is to ensure AOL | ALW provides a safe environment for young people and vulnerable adults to learn. As a Community College we are committed to:

- Establishing an environment in which learners feel safe, secure, valued and respected and know that they will be listened to.
- Promoting a resilient and robust learning culture for our learners, built on shared values that align with the values of liberty, justice, democracy and mutual respect.
- Raising awareness to enable staff to identify learners who may be experiencing or at risk of different types of abuse and the risks and vulnerabilities their learners may face.

- Reducing the potential risks learners may face of being exposed to violence, extremism, exploitation or victimisation.
- Clearly outlining organisational and individual responsibilities in identifying and reporting possible cases of abuse or concerns regarding radicalisation or extremism, and addressing concerns at the earliest possible stages.
- Providing clear procedures for staff to report cases of suspected abuse or when there has been a disclosure, or where concerns have been identified relating to radicalisation or extremism.
- Referring learners as appropriate to relevant agencies such as the police, social services, Channel and local safeguarding boards (see Appendix 3).

#### 4. EXPECTATIONS

##### 4.1 All staff and volunteers will:-

- Be familiar with this Safeguarding and Prevent Policy.
- Be alert to signs and indicators of possible abuse.
- Be subject to Safer Recruitment processes and checks, whether they are new staff, supply staff or volunteers.
- Record concerns and contact one of the designated Safeguarding team within 45 minutes of becoming aware, no matter how trivial concerns may seem.
- Deal with a disclosure of abuse from a learner by informing one of the designated Safeguarding team immediately and providing a written account as soon as possible.
- Promote safe working practices among their peers and challenge poor and unsafe behaviour.
- Ensure they adhere to all health and safety procedures as indicated in the Addysg Oedolion Cymru | Adult Learning Wales Health and Safety Policy.
- Attend training on safeguarding and Prevent when this is made available.
- If they feel that the organisation has not dealt with a safeguarding or Prevent issue appropriately, staff should contact the relevant body, i.e. the police, adult or child services, the safeguarding board or Channel about their concerns without unnecessary delay.

#### 5. SENIOR MANAGEMENT TEAM RESPONSIBILITIES

- 5.1 The Senior Management Team is responsible for ensuring procedures are in place to maintain the safety of learners, staff, volunteers and visitors.
- 5.2 The Senior Management Team will ensure that:
- AOC | ALW has a safeguarding policy in accordance with its statutory obligations and Welsh Government guidance.

- AOC | ALW operates safer recruitment procedures and ensures that appropriate checks are carried out on all new staff and relevant volunteers.
- One senior member of the leadership team acts as a Designated Safeguarding Lead.
- The Designated Safeguarding Lead attends appropriate refresher training every two years.
- The Designated Safeguarding Lead provides regular service updates on safeguarding matters.
- Staff and volunteers are trained in safeguarding and Prevent Duty responsibilities.
- AOC | ALW has procedures for dealing with allegations of abuse against staff /volunteers.

## 6. DESIGNATED SAFEGUARDING TEAM RESPONSIBILITIES

- 6.1 The Designated Safeguarding Lead Person (DSL) on the Senior Management Team is **the Head of Learner Services and Resources**. This postholder has lead responsibility, management oversight and accountability for child and vulnerable adult protection. With the Chief Executive, the Lead is responsible for coordinating all child and vulnerable adult protection activity.
- 6.2 **The Designated Safeguarding Lead Person** is also responsible for:-
- Ensuring that staff recruitment procedures include appropriate safeguarding checks.
  - Ensuring that this policy and procedure are understood and fully implemented by staff and learners.
  - Ensuring that all staff, learners, volunteers and governors feel able to raise concerns relating to safeguarding and Prevent and that such concerns are addressed sensitively and effectively in line with the Organisation's procedures.
  - Organising Prevent training for all employees.
  - Organising safeguarding training for those staff members who come into contact with vulnerable groups, children and young people.
  - Appointing to Safeguarding Officer roles.
  - Ensuring that sufficient resources and time are allocated to the Safeguarding Officers to carry out their duties.
  - Ensuring that the Governing Body and Senior Management Team receive on an annual basis, a report on Safeguarding issue and duties discharged.
- 6.3 Safeguarding Officers will liaise with the appropriate local and national agencies, on safeguarding and Prevent issues and concerns; provide advice and support to colleagues on issues relating to safeguarding and Prevent and deal with individual cases of suspected abuse and / or referrals / monitoring of cases of suspected abuse.
- 6.4 All designated Safeguarding Officers will be required to update their training on an annual basis.

- 6.5 The Safeguarding Officers will adhere to and promote this policy within the organisation, and support and/or provide access to support for individuals suffering harm or abuse, and individuals who come into contact with them.
- 6.6 The Safeguarding Officers will keep a log of all allegations / concerns made whether they come from learners or staff, or other sources. All conversations concerning these allegations / concerns with other external agencies will be recorded in writing and kept confidentially and securely.
- 6.7 The Safeguarding Officers are also responsible for informing the Disclosure and Barring Service (DBS) and the Education Workforce Council (EWC) if a person ceases to work at Addysg Oedolion Cymru | Adult Learning Wales and there are grounds for believing they may be unsuitable to work with vulnerable groups.

## **7. ALL STAFF RESPONSIBILITIES**

- 7.1 All staff are responsible for complying with AOC | ALW DBS requirements and Data Protection requirements and familiarising themselves with implementing these safeguarding procedures.
- 7.2 Every line manager is responsible for ensuring that this policy and procedure is fully implemented by the staff they line manage, ensuring that the induction of new staff and volunteers includes awareness of safeguarding issues and that all new staff receive a copy of the Safeguarding and Prevent Policy.

## **8. SAFER RECRUITMENT**

- 8.1 In order to recruit to posts safely, Addysg Oedolion Cymru | Adult Learning Wales will seek to recruit using appropriate procedures, safeguards and checks.
- 8.2 We will scrutinise applicants, verifying Right to Work in the UK and qualifications, and obtain suitable references for all posts and volunteer roles prior to appointment and check previous employment history
- 8.3 We will obtain Disclosure and Barring Service (DBS) checks to help us to assess suitability where there is eligibility to do so.
- 8.4 Only those roles working directly with children are defined as “regulated activity” and eligible for a DBS with a child list barring check. Roles working directly with adult learners are not classified as “regulated activity” and therefore, we are unable to carry out DBS checks unless the role involves working with vulnerable groups and certain criteria are met. Further information is available from the Human Resources team.
- 8.5 It is Addysg Oedolion Cymru | Adult Learning Wales’ policy that Disclosure and Barring Service checks are renewed every three years for designated post holders.



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

8.7 At the point of application, employees working directly with learners will be expected to complete a declaration in relation to any convictions or cautions they may have that would not currently be filtered by the DBS as these posts are exempt from the Rehabilitation of Offenders Act 1974. We will ask all those employees if they have any convictions or cautions that would not currently be filtered by the DBS.

## 9. SAFEGUARDING AND THE PREVENT DUTY

9.1 In 2010 the Government published the Prevent strategy which addresses the specific need to safeguard adults, young people and children from extremism.

9.2 AOC | ALW values freedom of speech and the expression of beliefs as fundamental rights underpinning our society's values. We also believe that free speech is subject to the laws and policies governing equality, human rights, community safety and community cohesion.

9.3 The government has defined extremism as: "vocal or active opposition to British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs".

9.4 The Prevent Duty makes reference to the term "British Values". Addysg Oedolion Cymru | Adult Learning Wales shares and promotes across its communities a positive, equitable and democratic ethos that is founded on the following values (Table 1)

9.5 Table 1: Values

<i>Liberty:</i>	<ul style="list-style-type: none"><li>• The freedom to live as you wish and go where you want.</li><li>• Helping you to make informed choices.</li><li>• Taking responsibility for your choices and exercising them safely.</li><li>• Making sure you know your rights.</li></ul>
<i>Justice – Rule of Law:</i>	<ul style="list-style-type: none"><li>• Fairness in the way people are dealt with.</li><li>• Exploring the laws that govern and protect us.</li><li>• Understanding the consequences if these rules are broken.</li><li>• Considering that these may be different from religious laws.</li></ul>
<i>Democracy:</i>	<ul style="list-style-type: none"><li>• The belief in freedom and equality between people.</li><li>• A broad general knowledge &amp; respect of public institutions and services.</li></ul>

	<ul style="list-style-type: none"> <li>• Helping you to influence decision-making through the democratic process.</li> <li>• Explaining the advantages and disadvantages of democracy.</li> </ul>
<i>Respect – Mutual Respect:</i>	<ul style="list-style-type: none"> <li>• Tolerance of those with different respects and beliefs.</li> <li>• Understanding how your behaviour has an effect on your own rights and those of others.</li> <li>• Respecting other people's differences, other cultures and ways of life.</li> <li>• Challenging prejudicial or discriminatory behaviour.</li> </ul>

9.6 AOL | ALW seeks to protect learners from the messages of extremism including, but not restricted to, those linked to political extremism, religious extremism and animal rights extremism. We are committed to supporting those who are vulnerable to radicalisation and their friends and families through awareness raising, appropriate signposting to support agencies and through ensuring an open culture where learners can seek help.

9.7 **Indicators of vulnerability** include:-

- **Identity Crisis** – the learner is distanced from their cultural / religious heritage and experiences discomfort about their place in society.
- **Personal Crisis** – the learner may be experiencing family tensions; a sense of isolation; and low self-esteem; they may have dissociated from their existing friendship group and become involved with a new and different group of friends; they may be searching for answers to questions about identity, faith and belonging.
- **Personal Circumstances** – migration, local community tensions; and events affecting the learner's country or region of origin may contribute to a sense of grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy.
- **Unmet Aspirations** – the learner may have perceptions of injustice; a feeling of failure; rejection of civic life.
- **Experiences of Criminality** – which may include involvement with criminal groups, imprisonment, and poor resettlement / reintegration.
- **Special Educational Need** – the learner may experience difficulties with social interaction, empathy with others, understanding the consequences of their actions and awareness of the motivations of others.

*NB: This list is not exhaustive, nor does it mean that all learners experiencing the above are at risk of radicalisation or extremism.*

**More critical risk factors could include:**

- Being in contact with extremist recruiters;
- Accessing extremist websites, especially those with a social networking element;
- Possessing or accessing extremist literature;
- Using extremist narratives and a global ideology to explain personal disadvantage;

- Justifying the use of violence to solve societal issues;
- Joining or seeking to join extremist organisations;
- Significant change to appearance and / or behaviour;
- Experiencing a high level of social isolation resulting in issues of identity crisis and / or personal crisis.

However, some of these factors may be related to other safeguarding concerns.

- 9.8 Concerns about extremism should be referred to the Designated Safeguarding Lead who is the Single Point of Contact or another member of the Safeguarding team in their absence. Referrals where appropriate will be made to the relevant police force.

## 10. ONLINE SAFETY

- 10.1 AOC | ALW understands the importance of providing safe access to the wealth of online information and communication tools to support teaching and learning.
- 10.2 AOC | ALW aims to provide opportunities for all learners to use internet technologies safely as part of their learning activities.
- 10.3 AOC | ALW is aware of its responsibility to educate learners and staff about potential risks of internet use and the mitigations needed to protect themselves and their families online.
- 10.4 AOC | ALW will take every practical step to safeguard IT equipment and the infrastructure available, including the use of appropriate web-filtering systems.
- 10.5 AOC | ALW ensures all users of IT systems accept the IT Acceptable Use statement when logging onto its machines. Any misuse or concern is flagged to a member of staff.
- 10.6 Internet users must not use internet facilities to break the law or incite crime. AOC | ALW will co-operate fully with law enforcement agencies in such cases.
- 10.7 Internet users must observe the following codes of practice:
- Refrain from unauthorised access or make unauthorised modifications to computer material (hacking)
  - Take all reasonable care not to distribute copyright material in breach of copyright
  - Take all reasonable care not to distribute defamatory material
  - Refrain from accessing, using, extracting, storing, distributing, printing, revealing or otherwise processing information which contravenes the law.
- 10.8 AOC | ALW tutors must ensure that all learners are aware of issues relating to online safety, including the need to install protection on their own machines. Resources will be made available to support tutors in doing this.
- 10.9 All staff are issued with a work email address and must use this in any communication with learners. Any member of staff who wishes to use social media for work purposes must set

up a page which is separate from their personal page. This can be done by using the work email address. Any tutor creating an online group for learners must supervise that group.

## 11. AOC | ALW SAFEGUARDING RESOURCES & DOCUMENTS

11.1 There are a number of documents, resources, websites and links relating to safeguarding available to staff and learners. These are included on the 'Staying Safe' section of the AOC | ALW website; in the Safeguarding section of the Staff Intranet (Sharepoint) and also in the Safeguarding and Prevent section on Moodle including:-

- Flow Chart for reporting a safeguarding concern or for reporting a safeguarding disclosure (Appendix 1)
- Code of Behaviour on Safeguarding for AOC | ALW Staff and Volunteers (Appendix 4)
- Safeguarding Incident Form (Appendix 5)
- Interactive Videos
- Risk Assessment Form
- Lesson Plans / resources to use with learners
- Values Video

This list is not exhaustive.

## 12. PROCEDURES FOR REPORTING ABUSE / SAFEGUARDING CONCERN OR DISCLOSURE

12.1 We support and encourage all learners, volunteers, staff, visitors and partner organisations to report any suspected safeguarding concern to one of the Safeguarding team **as quickly as possible** (see Table 2 on page 13 for contact details) and preferably within 45 minutes of becoming aware of an incident, suspicion or disclosure where there is:

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

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

12.3 Learners should be made aware that they can report any complaints, allegations or suspicions to their tutor or to their Curriculum Delivery Officer if they prefer. Tutors and Curriculum Delivery Officers are responsible for reporting issues or disclosures directly to a Safeguarding Officer.

- 12.4 Staff should report issues or concerns to a Safeguarding Officer immediately, who will discuss the matter with the Safeguarding team at a Safeguarding panel meeting. The Safeguarding Panel will make a decision as to the best way forward to deal with the matter: this could be an investigation, immediate suspension and/or contacting outside agencies such as Social Services or the police if necessary.
- 12.5 It is vital that any disclosure, concern or allegation is reported as quickly as possible, and preferably **within 45 minutes** of the member of staff becoming aware of it. If you are a member of teaching staff or a CDO, this may mean asking other learners in the class to take a break, occupying them with another task, or, even sending them home for the session and taking the learner somewhere where you can talk to them confidentially.
- 12.6 In situations where Addysg Oedolion Cymru | Adult Learning Wales is working in partnership with other organisations to deliver learning, the Safeguarding Officer will consider whether the matter should be referred to the partner organisation.
- 12.7 In the event that staff identify or receive information that a learner is wearing an Electronic Tag, they should contact a member of the Safeguarding team. In such instances a risk assessment will be undertaken to assess any vulnerability to the learner themselves and to others with whom they may come into contact.

**Table 2: Contact details for Safeguarding Team**

Name	Job Title	Direct Line	Mobile No.
Cath Hicks	Designated Safeguarding Lead Head of Learner Services & Resources	02921 678714	07931 204613
Rachel Burton	YCPW Coordinator	02920 382431	07960 858835
Jayne Ireland	Regional Manager South East Wales	02921 678 725	07787 423632
Sarah O'Connell Jones	Regional Manager North Wales	01248 363945	07930 867908

- 12.8 Staff must report concerns using the Safeguarding Incident Form (see Appendix 5) of this policy, which will provide a written record of the nature of the concern and include the following relevant information including:
- the date of the report and the alleged abuse/ concern
  - the time of the report and the alleged abuse/ concern
  - the place where the alleged abuse happened
  - the name of the complainant and, if different, the name of the person who has allegedly been abused

- the nature of the alleged abuse
- the name of the member of staff receiving the report and the names of any others present
- a description of any injuries observed
- any other information given in description of the allegation.

12.9 There is a designated email address to which Safeguarding Incident Forms should be sent: [safeguarding@adultlearning.wales](mailto:safeguarding@adultlearning.wales)

#### 12.10 Reporting Modern Day Slavery

AOC | ALW is aware of its duty to report any suspected victim of slavery or human trafficking via the National Referral Mechanism (NRM). This is a framework for identifying victims of human trafficking or modern slavery and ensuring they receive the appropriate support. If any member of staff suspects a learner may be a victim of slavery or human trafficking, they should contact one of the Safeguarding Team in the first instance. A referral to the NRM must be made by an organisation that is registered with the Home Office as a 'First Responder Organisation'. All Police Forces are classed as a First Responder organisation.

#### 12.11 Reporting Abuse by a Member of Staff

Allegations or concerns that a member of staff is abusing a learner must be reported directly to The Designated Safeguarding Lead or a member of the Senior Management Team. Where an allegation or suspicion of abuse is made, The Designated Safeguarding Lead will carry out an initial investigation to establish whether there is substance to the allegation. AOC | ALW's Disciplinary Procedures will be implemented alongside the Safeguarding Adults Procedures. The decision to refer to outside agencies will follow the same process as any other disclosure or suspicion of abuse and will be established by the Designated Safeguarding Lead.

The Safeguarding Vulnerable Groups Act 2006 (SVGA) places a legal duty on employers to refer to the Disclosure and Barring Service any person who has:

- Harmed or poses a risk of harm to a child or vulnerable adult;
- Received a caution or conviction for a relevant offence;
- Leaves employment under suspicion.

An accurate record should be made at the time giving details of the allegation or grounds for suspecting abuse has occurred, including:

- Date and time of the incident;
- Details of what you observed;
- What the learner has said about the abuse and how it occurred, or what has been reported to you. Use the actual words, rather than paraphrasing what has been said;
- The appearance and behaviour of the learner and alleged perpetrator;
- Any injuries observed;
- The learner's name, course title and centre;
- The learner's contact details.

If, following initial investigations, a decision is made to pursue an allegation of abuse against a member of staff, this will be dealt with under the AOC | ALW Disciplinary Policy and Procedures.

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

## **13. CONFIDENTIALITY AND CONSENT**

### **13.1 Confidentiality**

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

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

### **13.2 Consent - Adults**

In law, it is assumed that adults are capable of giving or withholding consent unless they lack capacity. If it is suspected an adult may need protection, consideration must first be given as to whether they are capable of giving consent and, if so, their consent must be sought. There may be many reasons why an individual may not give consent to the sharing of safeguarding information. They may not trust the police or social services, or they may fear reprisal or damaged relationships with family or the abuser. The Safeguarding Officer will apply the principle of proportionality to any decisions about sharing information without consent, and decisions will be made on a case by case basis. If a person does not wish for information to be shared about them to outside agencies, their wishes should be respected unless:

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

### **13.3 Mental Capacity**

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

- Understand information given to them.

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

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

#### 13.4 Consent - Children

Effective sharing and exchange of relevant information between professionals is essential in order to safeguard children. Wherever possible, consent should be obtained before sharing personal information with third parties, but the public interest in child protection always overrides the public interest in maintaining confidentiality or obtaining consent from families. A child's safety is the paramount consideration in weighing these interests.

### 14. SPOTTING POTENTIAL SAFEGUARDING CASES

#### 14.1 Indications that a child is being abused

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

- Unexplained or suspicious injuries such as bruises, cuts or burns particularly if situated on parts of the body not normally prone to such injuries
- Injuries for which an explanation seems inconsistent
- Fear of parents being approached about such injuries
- Reluctance to get changed or wearing long sleeves in hot weather
- Flinching when touched or approached
- A failure to thrive or grow
- Sudden speech disorders
- Difficulties in making friends
- The child is prevented from socialising
- Sudden or unexplained changes in behaviour
- Fear of being left with a specific person
- Sexually explicit behaviour
- Sexual knowledge beyond their age and developmental level
- A distrust of adults particularly those with whom a close relationship would normally be expected
- Constant hunger, sometimes stealing food
- The child is dirty/smelly/unkept
- Loss of weight
- Inappropriate dress for the conditions.



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

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

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

#### **14.2 Indications that an Adult may be the victim of abuse**

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

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

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

### **15. AWARENESS OF HARM OR ABUSE OCCURRING IN THE ORGANISATION**

- 15.1 Harm may be caused by accidents; deliberate abuse (physical, sexual, emotional, and financial); neglect (deliberate or not); or factors such as bullying; prejudicial attitudes; or a failure to enable a person to participate in activities that are open to most of their peers.
- 15.2 All incidents of harm to anyone involved in our services will require an appropriate response to reduce harm and improve our service.
- 15.3 Deliberate acts of harm (sexual, physical, emotional and financial) and neglect and abuses against individuals involved in our services will incur disciplinary proceedings and require reports and referrals to social services, the police, other professional bodies including the Education Workforce Council (EWC) and the Disclosure and Barring Service (DBS) if the post holder is involved in regulated activity.

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

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

15.5 We encourage staff or volunteers to report on issues that are wrong, illegal or if anyone at work is neglecting their duties, putting someone's health and safety in danger or covering up wrongdoing. In the first instance they should speak to a Safeguarding Officer, however they also have the right to report any malpractice under the organisation's Whistleblowing Policy.

## **16. COMMUNICATION OF THIS POLICY**

16.1 We will communicate this policy to all staff, volunteers, learners, partner organisations and any other individuals who come into contact with the Organisation using appropriate methods including incorporating into staff and learner induction sessions; providing training, updates and signposting resources during Inset / Tutor days; or sharing useful guidance documents and resources via the organisation's information management systems such as Moodle, Sharepoint and the Website.

16.2 We will actively engage with our Partner organisations to ensure that all organisations we sub-contract to or undertake work on behalf of understand this policy, understand the Prevent Duty and work collaboratively with AOC | ALW in the interests of safeguarding all learners studying with us.

## **17. MONITORING AND REVIEW**

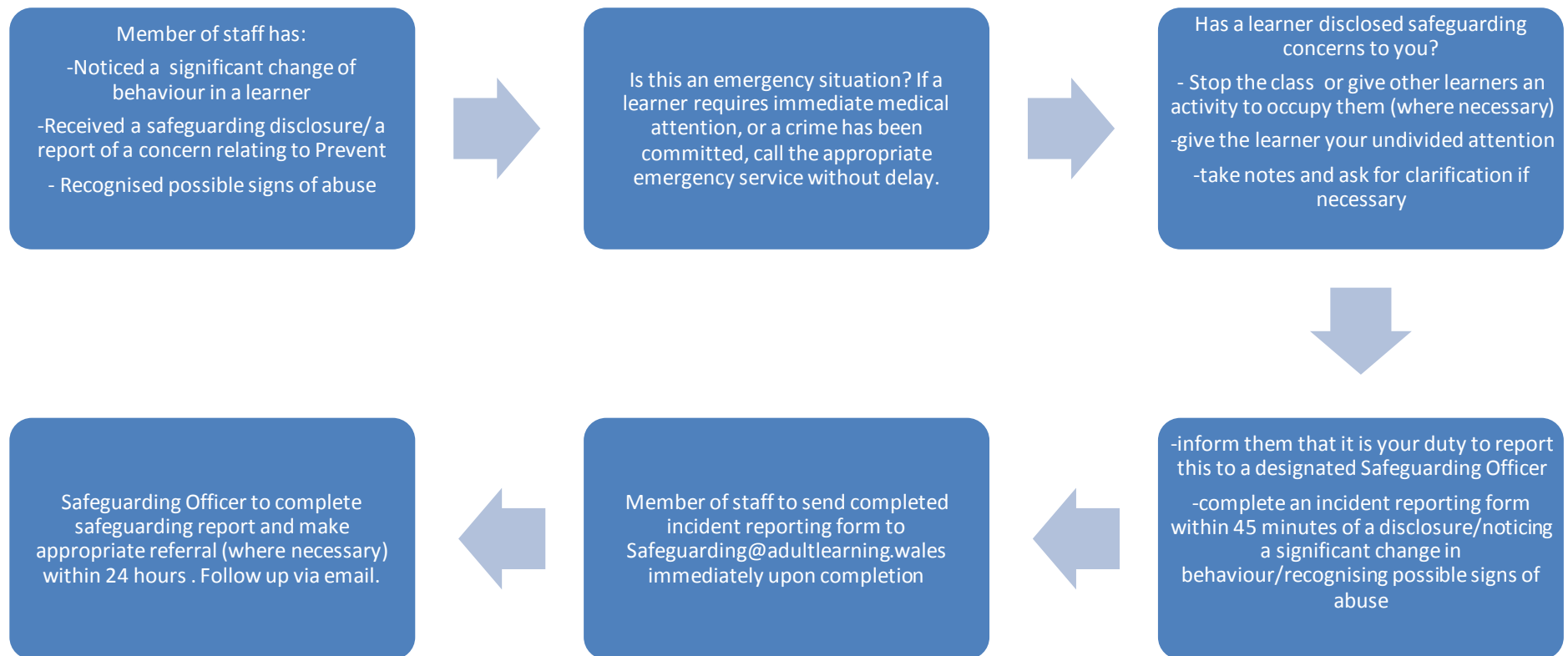
17.1 The maintaining and updating of this policy is the responsibility of the Designated Safeguarding Lead. It will be reviewed annually. Responsibility for implementation and compliance with this policy lies with all staff.

17.2 The implementation of this policy and procedures, and the effectiveness of staff training and understanding of safeguarding will be monitored by the Safeguarding, Equality and Diversity Group.

This document was reviewed in December 2020.

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

## FLOWCHART FOR DEALING WITH SUSPECTED SAFEGUARDING CONCERN OR DISCLOSURE (Appendix 1)



## Appendix 2

### RESOURCES

Learner Signposting resources:

[https://www.adultlearning.wales/userfiles/files/Learner Resources/A to Z Learner Support Signposting 2017-18.pdf](https://www.adultlearning.wales/userfiles/files/Learner_Resources/A_to_Z_Learner_Support_Signposting_2017-18.pdf)

<http://www.childreninwales.org.uk/>

<https://www.nspcc.org.uk>

<https://www.childcomwales.org.uk/>

Safeguarding Vulnerable Groups Act

<http://www.legislation.gov.uk/ukpga/2006/47/contents>

Protection of Freedoms Act

<http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted>

## Appendix 3

### KEY CONTACTS FOR SAFEGUARDING AND PREVENT ADVICE

- **THE POLICE**

If you have concerns or need advice, you can call the Police Hotline on 0800 789 321 or contact your local police force by dialling 101. If you require urgent police assistance, dial 999.

- **LOCAL AUTHORITY SAFEGUARDING TEAMS**

If you need further advice you can also contact your Local Authority Safeguarding Team:

North Wales Safeguarding Board- [www.northwalessafeguardingboard.wales](http://www.northwalessafeguardingboard.wales)

Mid and West Wales Safeguarding Board- [www.cysur.wales](http://www.cysur.wales)

Cardiff and Vale of Glamorgan Regional Safeguarding Board- [www.cardiffandvalersb.co.uk](http://www.cardiffandvalersb.co.uk)

Gwent Safeguarding (Gwent Adult Safeguarding Board and South East Wales Safeguarding Children Board)- [www.gwentsafeguarding.org.uk](http://www.gwentsafeguarding.org.uk)

- **CHANNEL**

Channel is a Local Authority led multi-agency programme made up of safeguarding professionals and local partners. Referrals to Channel come from those who have concerns about individuals who may be vulnerable to being drawn into terrorism.

If you believe that someone is vulnerable to being exploited or radicalised, please use AOC | ALW's established referral process as outlined in the Safeguarding Policy to escalate your concerns to the Safeguarding Lead, who can raise concerns to Channel if appropriate.

- **LET'S TALK ABOUT IT- [www.ltai.info/](http://www.ltai.info/)**

Let's Talk About It is an initiative designed to provide practical help and guidance in order to stop people becoming terrorists or supporting terrorism.

## Appendix 4

### CODE OF BEHAVIOUR ON SAFEGUARDING FOR ADDYSG OEDOLION CYMRU | ADULT LEARNING WALES STAFF AND VOLUNTEERS

1. Addysg Oedolion Cymru | Adult Learning Wales recognises that it is not practical to provide definitive instructions that would apply to all situations at all times where staff and volunteers come into contact with learners and to guarantee the protection of learners, staff and volunteers.
2. However, standards of behaviour required of staff and volunteers in order to fulfil their roles and duty of care within the Organisation are detailed below. This code should assist in the protection of learners, members of staff and volunteers.
3. Staff and volunteers must implement the Safeguarding and Prevent Policy and Reporting Procedures at all times.
4. Staff and volunteers must never:
  - engage in rough, physical games with learners
  - allow or engage in inappropriate touching of any kind
  - do things of a personal nature for learners
  - physically restrain a learner unless the restraint is to prevent physical injury of the learner/other learners/visitors or staff/volunteers/yourself. In all circumstances physical restraint must be appropriate and reasonable, otherwise the action can be defined as assault
  - make sexually suggestive comments
  - have learners on their own in a vehicle. Where circumstances require the transportation of learners in their vehicle, another member of staff/ volunteer must travel in the vehicle. Also, it is essential that there is adequate insurance for the vehicle to cover transporting learners as part of the business of your work. In extreme emergencies (for medical purposes) where it is required to transport a learner on their own, it is essential that the carer and a senior member of staff are notified immediately

- take a learner to the toilet unless another adult is present or has been made aware
  - spend time alone with a learner on his/her own, outside of the normal tutorial/ classroom situation. If you find you are in a situation where you are alone with a learner, make sure that you can be clearly observed by others
  - engage in a personal relationship with a learner, beyond that appropriate for a teacher/ student relationship
  - Provide learners with personal contact details e.g. private telephone numbers, email addresses or personal social media account access.
5. Staff or volunteers who breach any of the above may be subject to disciplinary action under the Addysg Oedolion Cymru | Adult Learning Wales Disciplinary Policy and Procedure.



**SAFEGUARDING INCIDENT FORM**  
*Strictly Confidential*

Staff member name		Learner Name	
Course code		Venue	

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

Date		Time	
Place			
Details			

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

This form should be passed onto a Safeguarding Officer as soon as possible to [safeguarding@adultlearning.wales](mailto:safeguarding@adultlearning.wales)