

Adult Learning

Safeguarding Policy

Head of Centre

Date

Safeguarding Lead

Date

Safeguarding Policy & Referral Adult Learning Form 2023 / 24

Safeguarding Policy

Adult Learning is a hosted service for Westmorland & Furness Council and Cumberland Council and is committed to ensuring a safe environment for Adult Learning and all its service users.

Introduction

'Safeguarding' relates to the protection of children, young people, and vulnerable adults. Safeguarding legislation requires policy, procedure, and preventative measures to be in place to protect young people and adult most at risk and from risk of harm.

Adult Learning providers of post-16 learning, and skills have responsibilities to ensure the safety of children, young people and those adults deemed 'vulnerable'. An adult most at risk (vulnerable) is defined as a person *'who is or may be in need of community care services by reason of mental health or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'* ('No Secrets' Guidance Department of Health, 2000).

Safeguarding of both children and adults most at risk is of paramount importance and Adult Learning seeks to ensure that a safe learning environment is available to all service users. Adult Learning (AL) as part of Westmorland and Furness Council will follow the Cumbria Local Safeguarding Children Board (LSCB) and Cumbria Safeguarding Vulnerable Adults Board (CSAB) policies and procedures, including those related to the governments PREVENT strategy.

Adult at Risk: Adult Learning bases its definition of an "Adult at Risk" on that used within the Data Protection Act 2018 and defines an Adult at Risk as someone over 18 years of age who (i) has needs for care and support; and (ii) is experiencing, or is at risk of, neglect, or physical and /or emotional harm; and (iii) as a result of those needs is unable to protect themselves against neglect or harm, or the risk of it.

Safeguarding Children: In defining our approach towards children, Adult Learning draws on the definition used by the DfE in Keeping Children Safe in Education 2022 (KCSE). While KCSE only applies to Schools and Colleges, we will play our part in: Protecting children from maltreatment. Preventing impairment of children's health or development. Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care. Taking action to enable all children to have the best outcomes.

Safeguarding Adults at Risk: Adult Learning draws on the Care Act 2014, to inform its policy on safeguarding Adults at Risk. We will play our part to:

- Ensure that the rights of Adults at Risk are protected to enable them to live in safety, free from abuse and neglect.
- Ensure that the wellbeing of the Adult at Risk is promoted and that in deciding on any action to be taken we will consider their views, wishes, feelings and beliefs, for example when considering whether to refer concerns to statutory bodies or when seeking support from charitable organisations.

Staff refers to those working for or on behalf of Adult Learning, full-time or part-time, temporary, or permanent, in either a paid or voluntary capacity. Adult Learning staff are in a position of trust, those that teach, support or in any way interact with learners, children/young people, and vulnerable adults.

Safeguarding statement

Our learners are adults. We recognise our morale and statutory responsibility to safeguard and promote the welfare of adult learners, children, and adults at risk. We endeavour to provide a safe and welcoming environment where adult learners are respected and valued. Adult Learning staff are uniquely placed to observe changes in a learner's appearance, behaviour, communication and the outward signs of abuse, neglect, exploitation, and radicalisation.

They may also become aware of family circumstances (where appropriate) in which there are safeguarding concerns for children and adults at risk. We are alerted to these signs and follow our procedures to ensure that learners and others receive effective support, protection, and justice.

Legal Framework

In line with Ofsted guidance AL adopts the definition used in the Children Act 2004 and the Department for Education (DfE) guidance document: *Working Together to Safeguard Children* 2013 (paragraph 2),² which define safeguarding and promoting children and young people's welfare as:

1 The Children Act 2004: www.legislation.gov.uk/ukpga/2004/31/part/2/crossheading/general

2 Working together to safeguard children, DfE, 2013; www.gov.uk/government/publications/working-together-to-safeguard-children

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

The above statutory guidance defines child protection as part of safeguarding and promoting welfare. Child protection is the activity undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

The legal and policy basis for responding to concerns regarding the safeguarding and welfare of vulnerable adults is different from that of children and young people under 18. *Working Together to Safeguard Children 2013* only applies to children and young people until they reach the age of 18. Adult Learning Safeguarding Policy Updated September 2020.

Any incidents or concerns relating to a young person of 18 years and over, even if still at school, are not covered by Local Safeguarding Children Boards or their procedures.

Government guidance in relation to adults is contained in the document 'No Secrets' and the previous Protection of Vulnerable Adults (POVA) guidance (now Adult's List guidance).

Good practice guidance is also available through the Association of Directors of Social Services (ADSS) publication – *Safeguarding Adults: A national framework of standards for good practice and outcomes in adult protection work*.

No Secrets' will be repealed by the Care Act 2014 on 1 April 2015:

www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care

Safeguarding adults: a national framework of standards for good practice and outcomes in adult protection work, Association of Directors of Social Services, 2005:

<http://lx.iriss.org.uk/content/safeguarding-adults-national-framework-standards-good-practice-and-outcomes-adult-protection>

The Designated Safeguarding Lead(s)

The DSL's take responsibility for safeguarding and child protection, including online safety. They provide advice and support to other staff on safeguarding matters, to take part in strategy discussions and inter-agency meetings, and/or to support other staff to do so.

They maintain accurate and timely records of any safeguarding referral or concern (even where that concern does not lead to a referral) and make appropriate referral to relevant agencies of suspected abuse or allegations.

Named Safeguarding Leads

Name	Role	Email	Telephone
Kraig Reeves-Brown	Designated Safeguarding Lead	kraig.reeves-brown@westmorlandandfurness.gov.uk	07825 340526
Emma Boyd	Deputy Designated Safeguarding Lead	emma.boyd@westmorlandandfurness.gov.uk	07741 235599
Donna St Claire	Designated Safeguard Lead if both Emma and Kraig are unavailable.	donna.stclaire@westmorlandandfurness.gov.uk	07876 447941

The Designated Safeguarding Lead (DSL)

The designated safeguarding lead should have the appropriate status and authority within Adult Learning to carry out the duties of the post. The role of the designated safeguarding lead carries a significant level of responsibility, and they should be given the additional time, funding, training, resources and support they need to carry out the role effectively. An appropriate senior member of staff, from Adult Learning leadership team must be appointed to the role of DSL.

Share information and managing the safeguarding file!

The DSL is responsible for ensuring that safeguarding files are kept up to date. Information should be kept confidential and stored securely. Records should include:

- A clear and comprehensive summary of the concern
- Details of how the concern was followed up and resolved
- A note of any action taken, decisions reached and the outcome

The DSL should ensure the file is only accessed by those who need to see it and where the file or content within it is shared.

Raise awareness!

The DSL should:

- Ensure each member of staff has access to, and understands, Adult Learnings Safeguarding policy and procedures, especially new and part-time staff, volunteers
- Ensure Adult Learning Safeguarding Policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with the DSL regarding this
- Ensure Adult Learning Safeguarding Policy is available publicly and learners know that referrals about suspected abuse or neglect may be made and the role of Adult Learning in this

Roles and Responsibilities

Adult Learning Senior Management Team will:

- Establish a Safeguarding Policy for the Service
- Ensure that all concerns and allegations of abuse will be taken seriously by Adult Learning staff and will be responded to appropriately
- Issue guidance to centres on the Service's expectations relating to safeguarding
- Provide online safeguarding training to Adult Learning staff and monitor attendance
- Identify a member of its management team who is responsible for safeguarding matters
- Respond to any safeguarding issues that are reported or identified
- Work within guidance and procedures established by the Cumbria Safeguarding Children Partnership (CSCP) and Cumbria Adults Safeguarding Board (CSAB)
- In line with Westmorland & Furness and Cumberland Council Safer Recruitment Policy promote safeguarding throughout its recruitment process and ensure all required checks are completed prior to the appointment of any individual
- Ensure safeguarding is included during the induction of Adult Learning new staff
- Ensure that, where necessary, Disclosure and Barring Service (DBS) checks have been completed on for appropriate staff groups as identified and agreed with People Management

Staff will:

- Ensure all learners and new staff receive information about safeguarding through induction
- Adult Learning staff complete yearly mandatory safeguard e-learning
- Assess the health and safety of learners, reinforcing this through learner reviews
- Respond positively to any concerns raised by learners or staff
- Know how to raise a concern with Adult Learning Designated Safeguarding Officers
- Keep written records of any safeguarding concerns or incident and their outcomes
- Complete the mandatory Fair, Diverse and Safe eLearning and Channel/Prevent eLearning within one month of new contract and then every 3 years

Definition of Abuse

Abuse is any behaviour towards a person that deliberately or unknowingly causes them harm, endangers life, or violates their rights. Abuse may be:

- Physical
- Sexual
- Psychological
- Financial or material – stealing or denying access to money or possessions
- Neglect
- Discriminatory – abuse motivated by discriminatory attitudes towards race, religion, gender, disability, or cultural background
- Grooming, stalking, cyberbullying

- Being involved in extremism/radicalisation activities

Reporting a concern

Suspected abuse must be reported to the Adult Learning Designated Safeguarding Officer. It is the duty under law to inform only and not to investigate- this is the role of the Police and Local Authority.

- A safeguarding issue is to be treated as a priority over all other work
- Staff must report any concerns to the DLS immediately
- An oral, then written report using the Cause for Concern form should be provided to the Designated Safeguarding Lead who will keep a confidentially record of any incident(s)
- All safeguarding alerts must be treated in a **confidential** manner
- If abuse is suspected, the written report should record accurately concerns/observations/persons present and be signed, timed, and dated
- If abuse is disclosed, record the facts using the words of the person disclosing, do not make judgements or opinions. Ensure that the person disclosing understands that you will need to report what they are telling you to others (**Refer to appendix 1 for process diagram of making a referral**)

Allegations involving a member of staff.

Allegations of suspected abuse or abuse involving a member of staff should be reported to the Senior Manager, Adult Learning who will report to People Management and the Local Authority Designated Officer (LADO) for the LSCB or the Cumbria Adult Safeguarding Board.

The LADO is located within Children's Services and should be alerted to all cases in which it is alleged that a person who works with children has:

- Behaved in a way that has harmed, or may have harmed, a child
- Possibly committed a criminal offence against children or related to a child
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children
- If you are concerned a colleague is vulnerable and may be facing a personal safeguarding issue, the council has several policies and support available:
- Lone working policy
- Personal Security in the Workplace policy
- LiveWell Employee Assistance Programme <http://www.intouch.ccc/wellbeingforlife/default.asp>
- Employee Wellbeing Service <http://www.intouch.ccc/hr/Attendanceandwellbeinghealth.asp>

Important links

- Adult Learning will work within the agreed procedures and guidance established by both the LSCB and CSAB published on their websites:
- <http://cumbrialscb.com/>
- <http://www.cumbria.gov.uk/healthandsocialcare/adultsocialcare/safe/>
- http://cumbrialscb.proceduresonline.com/chapters/p_support_ch_radical.html Adult Learning Safeguarding Policy Updated September 2023

Induction

All new members of staff and volunteers will undergo an induction that includes familiarisation with Adult Learning safeguarding policy, staff behaviour policy (code of conduct), other issues in keeping with their training needs.

Adult Learning obtains written confirmation from supply agencies and third-party organisations that they have satisfactorily undertaken all appropriate checks in respect of individuals they provide to work with or undertaken duties for Adult Learning.

Volunteers

Volunteers will undergo checks commensurate with their work in Adult Learning and contact with learners. Under no circumstances will a volunteer who has not been appropriately checked be left unsupervised or be allowed to engage in Regulated Activity.

Volunteers who work only in a supervised capacity and are not in Regulated Activity will undergo the safer recruitment checks appropriate to their role, in accordance with Adult Learning risk assessment process and statutory guidance.

Adult Learning will carry out appropriate DBS checks as part of the onboarding process for volunteers in line with the 2022/23 Volunteering policy.

Consent

The DSL will normally obtain consent from the learner to share sensitive information within Adult Learning or with outside agencies. Where there is good reason to do so, the DSL may share information without consent, and will record the reason for not obtaining consent.

Information sharing will take place in a timely and secure manner and where:

- It is necessary and proportionate to do so; and
- The information to be shared is relevant, adequate, and accurate

Information sharing decisions will be recorded, whether the decision is taken to share.

Record Keeping

To maintain safeguarding records, Adult Learning will:

- Keep clear detailed written records of safeguarding concerns (noting the date, event and action taken), even where there is no need to refer the matter to Adult Safeguarding Board
- Keep records in a meticulous chronologic order, either on paper or electronic
- Ensure Adult Learning records are kept secure and in locked locations
- Such records will only be accessible to the DSL and leaders who need to be aware
- The records will include, in addition to the name, address and age of the subject, timed and dated observations describing the subject's behaviour, appearance, statements/remarks made to staff or other learners and observations of interactions between the learner, other learners, family members or members of staff that give rise to concern. Where possible and without interpretation, the exact words spoken by the subject will be recorded
- Records will be signed, dated, and timed by the member of staff making the record
- Records of safeguarding observations or concerns can be completed electronically or as a paper version, but it is most important that one consistent system for the recording of concerns is readily accessible to every member of staff irrespective of role
- Safeguarding records form a part of a learner's record, which they ordinarily have a right to see. Any learner wishing to access their safeguarding records will need to submit a request to Adult Learning for consideration
- Adult Learning will follow the councils process for freedom of information, before access to the record is granted
- GDPR process will be followed if releasing information would place the learner, or any other person, at risk of significant harm

Data Protection

The Data Protection Act 2018 (DPA) and the GDPR places duties on staff to process person information fairly and lawfully and to keep the information they hold safe and secure.

- Staff will ensure confidentiality protocols are adhered to and information is shared appropriately
- If in any doubt about confidentiality, staff will seek advice from the DSL or another SLT member about protocol

- Reporting Safeguarding Concerns, it is reasonable for staff to discuss day-to-day concerns about learners with colleagues to ensure that learners' general needs are met in the setting
- However, staff should report all safeguarding concerns to the DSL and in the case of concerns about Service Designated Safeguarding Lead, referrals should be made to Senior Manager. Of Adult Learning. The person receiving the referral will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis
- Adult Learning staff must be aware that they cannot promise to keep secrets
- The DSL or a deputy DSL should always be available to discuss safeguarding concerns but in exceptional circumstances where neither the DSL nor any appointed deputy DSL are available, that should not delay appropriate action being taken and staff should speak to the Senior manager of the service

Adult Learning safeguarding and child protection information will be handled in line with the principles of the Data Protection Act 2018, which require that sensitive information is:

- Processed for limited purposes
- Adequate, relevant, and not excessive
- Accurate
- Kept no longer than necessary
- Processed in accordance with the data subject's rights
- Secure

Consent

The DSL will normally obtain consent from the learner to share sensitive information within Adult Learning or with outside agencies. Where there is good reason to do so, the DSL may share information without consent, and will record the reason for not obtaining consent.

Information sharing will take place in a timely and secure manner and where:

- It is necessary and proportionate to do so; and
- The information to be shared is relevant, adequate, and accurate. Information sharing decisions will be recorded, whether the decision is taken to share.

Photography and images

Most people who take or view photographs or videos for entirely innocent, understandable, and acceptable reasons. Sadly, some people abuse others through taking or using images, so we must ensure that we have some safeguards in place.

To protect learners, we will:

- Seek their consent for photographs or video images to be taken
- Ensure learners are appropriately dressed
- Encourage learners to tell us if they are worried about any photographs/images that are taken of them

Furthermore, when using images for publicity purposes (e.g., on our website or in newspapers or publications), we will:

- Seek their consent
- Establish whether the image will be retained for further use, where and for how long
- Ensure that images are stored securely and used only by those authorised to do so

For the protection of learners and staff, only Adult Learning owned equipment will be used to record and store images taken by staff or volunteers on site or during activities.

Visiting practitioners who work directly with learners are subject to the same restrictions as staff and volunteers in the setting in respect of recording and storing images of children. However, some visiting professionals are permitted to record images of the premises only specifically for professional purposes and to support Adult Learning,

Online Safety

Potential risk is common when using electronic equipment including mobile phones, tablets, and computers daily to access the internet and share content and images via social networking sites.

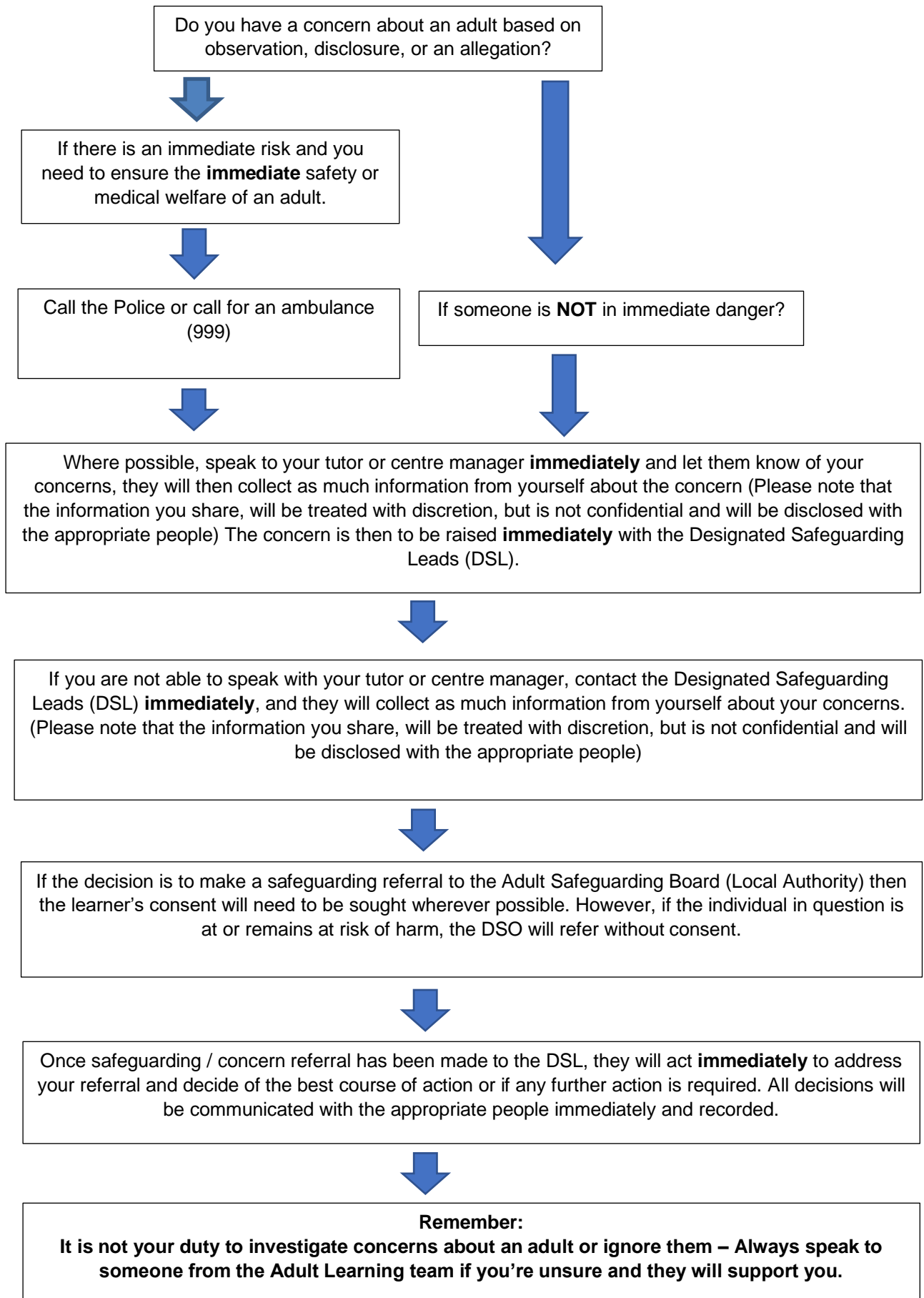
These technologies and the internet are a source of education, communication, entertainment, and fun. Unfortunately, however, some people will use those technologies to harm others and the use of technology has become a significant component of many safeguarding issues.

Technology often provides the platform that facilitates harm through criminal and sexual exploitation; county lines activity; radicalisation; sexual predation and cyber bullying.

It is essential that learners are safeguarded from potentially harmful and inappropriate online material. Adult Learning seeks to protect and educate learners and staff in their use of technology and establish mechanisms to identify, intervene in, and escalating any concerns where appropriate.

Any such incidents involving online abuse, materials etc. will be recorded and reported to the DSL. If a staff member believes that a learner is recording a lesson or conversation without prior consent, the lesson will be ended, or the learner will be logged out immediately.

What to do if you have a concern about an Adult?



Safeguarding Cause for Concern Referral Form

Name and address of child, young person, or adult at risk.	
Name	
Address (New / Current)	
Details of concern or incident: IMPORTANT: Remember to be factual here and not offer any personal judgements.	
Time	
Date	
Details of concern, or incident (Provide detail and concise facts)	
Was any action taken? IMPORTANT: Please provide details	
Spoke to manager (Gillian Thompson) for advice on raising a safeguarding concern	
Name, work number of person raising the concern:	
DSL dealing with referral	
Action Taken / Advice given	
Date actioned	

END