



SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY

1. What is safeguarding?

- 1.1. Safeguarding children and vulnerable adults is the action we take to promote their welfare and to protect them from harm. Everyone who comes into contact with children, their families or vulnerable adults has a role to play in taking responsibility to ensure they are safe from harm.
- 1.2. Safeguarding and promoting the welfare of children is defined for the purposes of this policy as:
 - protecting children from maltreatment
 - preventing impairment of children's health or development
 - ensuring that children grow up in circumstances consistent with the provision of safe and effective care
 - taking action to enable all children to have the best outcomes.
- 1.3 Safeguarding vulnerable adults is defined for the purposes of this policy as protecting them from:
 - significant harm
 - exploitation
 - abuse

Note: the risk of radicalisation for vulnerable adults is covered under the Preventing Radicalisation Policy
- 1.4 We will fulfil our statutory duties with regards to safeguarding children and vulnerable adults by:
 - providing a safe learning environment in which all students can progress
 - informing relevant students of how to keep themselves safe from harm
 - following appropriate recruitment procedures for staff and volunteers
 - ensuring staff and volunteers are aware of the procedures to follow if they think a student is at risk
 - taking appropriate action if we suspect a child or vulnerable adult is at risk

2 Who are we safeguarding?

- 2.1 We have a legal duty to safeguarding children and vulnerable adults.
- 2.2 A 'child' is anyone under the age of 18.
- 2.3 The definition of a 'vulnerable adult' was amended by the Protection of Freedoms Act 2012 (see appendix 3) to a person in receipt of a regulated activity for adults. As a result, City Lit does not routinely work with vulnerable adults. Some individual students may be designated as 'vulnerable' whilst undertaking certain activities at City Lit as a result of external support that continues when on the premises.

- 2.4 We recognise that there may be situations where staff or volunteers identify that individuals who do not meet the definitions outlined above, are in vulnerable or difficult situations. We will provide support as appropriate under our duty of care. Where there are concerns of significant harm, exploitation or abuse, then we may follow aspects of our safeguarding procedures. A Safeguarding Officer will advise if necessary.

3 Safeguarding structure and responsibilities

- 3.1 Key staff have designated safeguarding responsibilities:
- The Vice Principal (People and Development) is our designated Lead Safeguarding Officer, who has overall accountability for safeguarding children and vulnerable adults. The other Safeguarding Officers are the Assistant Principal and Head of Human Resources.
 - The Digital Learning Manager is the nominated manager for e-safety.
 - In those areas where staff and students work with children as part of their roles (Family Education and Deaf Access and Interpreting), a manager has responsibility for leading safeguarding in their area of work. This person will be the focal point for all safeguarding issues within that area. This nominated manager is identified in the relevant departmental safeguarding procedure.
 - Progress has a safeguarding structure that reflects the nature of its students.
- 3.2 All staff and volunteers are responsible for identifying issues within their area or for dealing with anything identified to them. If anyone has a safeguarding issue brought to their attention in the course of their work, it must be treated as a priority over all work.
- 3.3 All staff and volunteers should feel able to raise concerns about anything they consider may be poor or unsafe practice in our safeguarding practices. If any member of staff has any concerns about the actions taken by a Safeguarding Officer, s/he may contact another officer to discuss the situation; they may also be raised through our Whistleblowing procedure.

4 Procedures to be invoked when harm/abuse is suspected

- 4.1 If anyone comes across signs of harm and/or abuse of children or vulnerable adults s/he should:
- Report any concerns for the wellbeing of a child or vulnerable adult to the appropriate nominated manager.
 - This will invoke the appropriate procedures to protect the child or vulnerable adult. Where appropriate this may involve the local Safeguarding Board and/or the police or some other relevant specialist service.
 - Where staff members are unsure and need guidance about safeguarding issues, they are encouraged to seek support from their nominated manager.
- 4.2 If anyone considers that a child or vulnerable adult is in immediate danger or at risk of harm s/he should:

- contact a Safeguarding Officer or the Duty Manager immediately who will make a referral to children’s social care or the Police immediately.

- 4.3 Where an allegation of abuse or inappropriate behaviour is made against a member of staff and it is possible that s/he may have:
- behaved in a way that has or may have harmed a child or vulnerable adult
 - committed a criminal offence against or related to a child or vulnerable adult
 - behaved in a manner that indicates s/he may pose a risk of harm to children or vulnerable adults.

A thorough investigation should be undertaken to establish that the allegation is either:

- substantiated
- malicious
- false
- unsubstantiated.

Statutory and other relevant guidance should be used as necessary to support any investigation.

- 4.4 Where any incident relates to their actions as an employee of City Lit, in addition to actions set out above, Human Resources will advise and support the line manager of, and the employee against whom allegations have been made.
- 4.5 Where an allegation of abuse or inappropriate behaviour is made against a student and relates to their actions as a member of City Lit, in addition to actions set out above, the Vice Principal will advise on the disciplinary procedure.
- 4.6 The Safeguarding Officer will decide any action to be taken. It is the duty of staff to inform only, not to investigate – this is the role of the relevant external services.
- 4.7 The Safeguarding Officer will ensure that an incident record is made, actions taken and that any external reports are appropriately made.

5 Control measures

Students

- 5.1 We take a risk management approach to safeguarding, in organising learning and teaching, and delivery of services to students and the public. Where necessary faculties and service areas carry out risk assessments, and make reasonable, proportionate adaptations to their activities.
- 5.2 We reserve the right to refuse to admit anyone to a programme of study, or other college-managed activities, if we assess that we are unable to safeguard them adequately, e.g. through support or adaptations.
- 5.3 Where adaptations are reasonable and proportionate, we may put in place a number of ‘control measures’ in order to safeguard the wellbeing of children and vulnerable adults.

- 5.4 Where students work or volunteer on specified activities or in specified settings they will be subject to the relevant checks as outlined in the relevant departmental procedures.
- 5.5 Children aged 16 or 17 are only admitted to normal classes following a risk assessment by the relevant head of programme. (see appendix 2)
- 5.6 Children aged under 16 are not admitted to normal classes, unless the class is specifically for children and parents/guardians.

Other groups

- 5.7 Where children of students, staff members or visitors are present on our premises, they remain the responsibility of their parent/guardian.
- 5.8 Safeguarding the wellbeing of any children visiting City Lit without their parent/guardian is the responsibility of the organiser of the activities in which the child is participating.

Staff and volunteer controls

- 5.9 For new staff appointed to regulated activity (see appendix 3):
 - Verification of the appointed person's identity, preferably from current photographic ID and proof of address.
 - Obtaining an enhanced DBS (Disclosure and Barring Service) check (with barred list information if appropriate).
 - Verification of the appointed person's mental and physical fitness for the role (through the interview process).
 - Verification of the appointed person's right to work in the United Kingdom
 - Verification of relevant qualifications.
 - Other checks may be considered if the person has recently lived outside of the United Kingdom.
- 5.10 DBS checks:
 - DBS checks will be obtained as detailed in appendix 7. These requirements are reviewed annually and updated where necessary.
 - DBS checks will normally be obtained for new starters prior to the commencement of any work where a DBS check is required.
 - Where a DBS check has not yet been received a department may allow supervised access or accept a portability check following a risk assessment.
 - City Lit will adhere to all relevant regulations and codes of practice as issued by the DBS.
 - All information regarding the detail of any DBS certificates will be processed by Human Resources and will not be passed to third parties. The date and number of DBS checks may be passed to partner organisations to enable City Lit to fulfil its contract and may be issued as part of a portability check by another organisation.
 - Human Resources will confirm to the relevant programme / service manager whether a satisfactory DBS check has been obtained. This information will be recorded securely on the central Human Resources database and any certificate then destroyed by onsite shredding. If items appear on the DBS check that give cause for concern, Human

Resources will discuss these with the relevant line manager. Human Resources will then discuss with the applicant if any conditions are to be applied or the offer withdrawn.

5.11 Employing persons with criminal records:

- The possession of a criminal record is not a bar to employment at City Lit. If an offer of employment has been made that is dependent on the obtaining of a DBS check by the successful applicant the offer will only be withdrawn if the disclosed information is relevant to the duties of or the selection criteria for that post. If appropriate consideration will be given to modifying the offer of employment rather than withdrawing it.
- Where a post is exempt from the Rehabilitation of Offenders Act, 1974, this will be identified in the job description.
- If employment is not dependent on a DBS check and the applicant declares convictions the offer will only be withdrawn if the conviction(s) is relevant to the duties of or the selection criteria for that post.

5.12 Any staff or volunteers working with under 18s must disclose to their manager if they are knowingly living with or in the same household of a person who has been disqualified from working with children.

5.13 Staff training will be undertaken in accordance with appendix 6.

6. Harm and abuse

6.1 Harm and abuse at City Lit may fall into a number of broad categories and staff must report any concerns, however minor they may seem, the following are examples:

- **Physical abuse**, which includes hitting, pinching or physically restraining someone in an inappropriate way - for example, being locked in or forced.
- **Financial abuse**, which includes taking another person's money or possessions - for example, having money or property stolen, being pressured into giving people money or changing a will, misuse of benefits, not being allowed access to money.
- **Sexual abuse**, which includes any sexual act to which a child or vulnerable adult has not consented and may not understand. For example, being touched or kissed when it is not wanted, being made to touch or kiss someone else, being raped, being made to listen to sexual comments or forced to look at sexual acts or materials
- **Neglect**, the persistent failure to meet a persons physical and/or psychological needs, likely to result in the serious impairment of a person's health or development.
- **Psychological abuse**, for example if someone is isolated, verbally abused or threatened, e.g. with violence.
- **Discrimination**. Discriminating abuse includes any type of abuse aimed at a child or vulnerable adult because of their colour, religion, appearance or sexuality. For example, ignoring spiritual or religious beliefs, comments or jokes about a person's disability, age, race, sexual orientation, or gender / gender identity, ignoring cultural needs, for example diet or clothing.

- **Female genital mutilation (FGM)**, is a procedure where the female genitals are deliberately cut, injured or changed, but where there's no medical reason for this to be done.

6.2 Staff should also be alert to the potential need for help for a anyone who:

- is disabled and has specific additional needs
- has special educational needs
- is a carer
- is showing signs of engaging in anti-social or criminal behaviour
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health, domestic violence
- is showing signs of abuse and/or neglect

Appendix 1 – Related policies, procedures and guidance

Internal

Family Learning Safeguarding Procedure
Vulnerable Adults Risk Assessment for Progress Students
Deaf Education Safeguarding Procedure
E-safety Guidance
Preventing Radicalisation Policy
16-19 Policy

External

Keeping Children Safe in Education (DfE)

Appendix 2 – Authorisation of enrolments of under 18s

Children aged under 16 are not normally enrolled on City Lit courses, the only exception would be if a parent or guardian enrolls and attends the same course. The child would only be able to attend sessions where the parent/guardian is also present and remain at all times their responsibility. Enrolments of children aged under 16 must be authorised by an Assistant or Vice Principal. A risk assessment should be completed to assess the suitability of the course.

Young adults aged 16 or 17 at enrolment are not normally enrolled on City Lit courses; however, they may be enrolled at the discretion of the Head of Department if it is considered that the planned study cannot reasonably be undertaken elsewhere and there is an educationally coherent reason why the young adult should undertake the course of study. A risk assessment should be completed to assess the suitability of the course.

Checks on staff and students are not required when these under-18s attend as under the Protection of Freedoms Act 2012 the teaching of children is not automatically a regulated activity if it takes place in a place that is not specified as exclusively or mainly for the provision of education to children.

Appendix 3 – Regulated activity - summary

Children

1. Unsupervised activities: teaching, training, instructing, caring for or supervising children, or providing advice / guidance on well-being, or driving a vehicle only for children
2. Work for a limited range of establishments ('specified places'), with opportunity for contact, for example schools, children's homes, childcare premises (but not work by supervised volunteers)
Work under (1) or (2) is Regulated Activity only if done regularly. In this context, 'regular' means carried out by the same person frequently (once a week or more often), or on 4 or more days in a 30-day period (or in some cases, overnight)
3. Relevant personal care, for example washing or dressing; or health care by or supervised by a professional, even if done once
4. Registered childminding and foster-carers

Adults

The definition of regulated activity for adults from 10th September 2012 identifies the activities provided to any adult which, if any adult requires them, will mean that the adult will be considered vulnerable at that particular time. The Safeguarding

Vulnerable Groups Act will no longer label adults as 'vulnerable' because of the setting in which the activity is received, nor because of the personal characteristics or circumstances of the adult receiving the activities.

(Source: Department of Health 2012)

Each of the following is a regulated activity relating to vulnerable adults (i.e. any adult is "vulnerable" when in one of these situations:

- 1 the provision to an adult of health care by, or under the direction or supervision of, a health care professional,
- 2 the provision to an adult of relevant personal care, (physical assistance, given to a person who is in need of it by reason of age, illness or disability, in connection with—
 - (i) eating or drinking (including the administration of parenteral nutrition),
 - (ii) toileting (including in relation to the process of menstruation),
 - (iii) washing or bathing,
 - (iv) dressing,
 - (v) oral care, or
 - (vi) the care of skin, hair or nails,
- 3 the provision by a social care worker of relevant social work to an adult who is a client or potential client,
- 4 the provision of assistance in relation to general household matters to an adult who is in need of it by reason of age, illness or disability,
- 5 any relevant assistance in the conduct of an adult's own affairs,
- 6 the conveying by persons of a prescribed description in such circumstances as may be prescribed of adults who need to be conveyed by reason of age, illness or disability,
- 7 such activities involving, or connected with, the provision of health care or relevant personal care to adults not falling within any of the above paragraphs.

In 2000 the Department of Health in its *No Secrets* Guidance defined an adult at risk as 'a person aged 18 years or over, who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. This definition does not affect how safeguarding incidents are managed; however, it informs managers and staff that other students may require more support and assistance than others in certain situations.

Appendix 4 - Portability of DBS checks

Portability refers to the re-use of DBS checks by different employers. The following considerations should be made when accepting a previously issued check:

- Using a previously-issued DBS check does not constitute a fresh DBS check - the person's criminal record or other relevant information may have changed since its issue.
- By accepting a previously issued DBS check there is a risk that the previous Registered Body did not provide the DBS with a fully validated applicant's identity on which to carry out its checks.
- Enhanced checks may contain 'approved' non-conviction information provided by local police records. Occasionally, this information may be withheld from the applicant's copy if it was thought necessary in the interests of the prevention or detection of crime.

Checks from other organisations are not usually accepted by City Lit; however where there is a curriculum reason for a person to start before our own check has been obtained a portability check on one that is less than three years old may be made if:

- The applicant does not have unsupervised access to children or vulnerable adults prior to the receipt of the new DBS check.
- If the applicant is working with a partner organisation, the arrangements have been agreed in writing by that organisation.

Procedure to follow

1. Obtain the written consent of the person
2. Take a copy of their DBS check
3. Contact the listed counter signatory and ask them to confirm in writing
 - whether or not the information provided reflects that which appears on our copy of the DBS check
 - whether the police did or did not issue additional information issued under cover of a separate letter
4. Pass a copy of this information to Human Resources
5. Ensure the applicant approaches Human Resources to obtain a new check

Appendix 5 - Statutory framework

Primary and secondary schools and further education colleges have a statutory duty to safeguard and protect children in their care. Section 175 of the Education Act 2000 came into force in 2004. The Act reinforces the Children Act of 1989 and places a statutory duty on governing bodies to promote the welfare and safety of children.

The Safeguarding Vulnerable Groups Act 2006 and the Further Education (Providers of Education) (England) Regulations 2006 are stated as applying to all further education institutions as defined in section 140(3) of the Education Act 2002. This is understood to include City Lit as the Act defines a further education institution as an institution which '*provides further education and is maintained by a local authority, or is within the further education sector*'. As City Lit is designated as a Specialist Designated Institution under the Further and Higher Education Reform Act 1992 it is deemed to be in the further education sector.

At City Lit children under 16 years old are normally anticipated to be our responsibility in off-site crèches; however, in many of these crèches a parent or care is present as a student in the room.

Certain staff undertake work in schools and further education colleges on a regular basis as part of contracts and partnerships. Where access to the same school or college is more frequent than 'occasional' or 'temporary' it will fall within the scope of regulated activity.

Appendix 6 – Staff and volunteer training

Total annual hours	Training
<30 hours (no routine work with children or vulnerable adults)	Included as part of "induction essentials"
>30 hours (no routine work with children or vulnerable adults)	Element of online induction

Staff in regulated work	As above, plus departmental/ role specific element carried out as part of departmental induction.
Staff in regulated work	As above, plus departmental/ role specific element carried out as part of departmental induction plus annual update
Managers of staff in regulated areas	Accredited course plus annual update
Teachers of courses where individual under 18s are enrolled	Briefing by their manager prior to the start of the course
Safeguarding Officers	Accredited course plus annual update

Appendix 7

Work area	Worker type	Employment status	Work designation	DBS check required
Community Outreach (LA contract work)	Teachers working in schools	Employee	Regulated <i>Specified setting</i>	Enhanced with barred list information
	Parent & Under 5 workers	Employee	Regulated <i>Specified setting</i>	Enhanced with barred list information
	Supervised volunteers in family Education classes	Volunteer	Regulated <i>Specified Setting</i>	Enhanced
Deaf Education (Direct contract work)	Communication support workers working in FE colleges	Employee	Regulated <i>Specified Setting</i>	Enhanced
Any teaching area	Teachers	Employee	None <i>Teaching of children is merely incidental to teaching of persons who are not children</i>	None
Any area	Manger of a person carrying out specified activities or working in specified settings	Employee	Regulated <i>Regular management of a person carrying out a regulated activity</i>	Enhanced

DBS checks will normally be updated whenever there is cause to believe that circumstances have changed or if required by our contract with a receiving organisation.