

Policy 1.6 - Safeguarding

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Scope and purpose

This policy is for use by all employees and trustees of Landmarks. The college has a legal and professional obligation to safeguard its beneficiaries. This policy is to provide:

- definitions of safeguarding
- types of abuse
- direction and guidance on how to recognise and respond to safeguarding concerns

Abuse is a complex issue. Every effort will be made to ensure individuals' wishes are ascertained and considered before action is taken.

These guidelines aim to outline the 6 key competencies that all staff must demonstrate:

1. Understanding the definition of an adult who may be vulnerable as defined by No Secrets (DoH 2000)
2. Understanding the types and signs of abuse as defined by No Secrets (DoH 2000)
3. Understanding the importance of whistle blowing procedures
4. Understanding the importance of creating a safe environment to minimise the risk of abuse and harm
5. Understand their role as defined within to the multi-agency and internal policy and procedure including how to report and record concerns of abuse using appropriate systems
6. Raise awareness of legislation applicable to role and responsibilities.

1. Who are we Safeguarding

- Safeguarding Children – anyone, regardless of disability, under the age of 18.
- Safeguarding Adults - An adult in need of safeguarding is 18 or over. Someone who is in receipt of, or may need, community care services because of mental or other disability, age or illness. This includes those with learning disabilities, physical disabilities, sensory disabilities, mental ill health, who are frail due to their age, with dementia, with brain injuries or with drug or alcohol problems.

2. Definitions of Abuse

A violation of an individual's human and civil rights by any other person or persons which may result in significant harm. It may be a single act, repeated acts, an act of neglect or a

failure to act or multiple acts (Care Act 2014). Types of abuse are variable and may be described as:

Physical Abuse:

This includes injuries which are not explained satisfactorily or where there is concern that the injury was inflicted intentionally. Pushing, shaking, pinching, slapping, punching and force-feeding could come into this category depending on the circumstances in which they occurred.

Physical abuse can also include situations where people are caused unreasonable physical discomfort through the withholding of care or the application of inappropriate techniques or treatment. Deprivation and forcing of food and water and involuntary isolation and confinement (e.g. inappropriate methods of restraint) can be physical abuse. Physical abuse can include forcing of prescribed or non-prescribed medication against the person's will or covertly medicating without a DOLS authorisation and best interest plan.

Sexual Abuse

This policy is written within the guidelines of the Safeguarding Adults: Multi-Agency Policy and Procedures, Leicester, Leicestershire and Rutland and the Leicester City, Leicestershire and Rutland Local Safeguarding Children Boards Procedures Manual.

The involvement of a person in sexual activities or relationships that either they do not want, have not consented to or they cannot understand. May include inappropriate looking/touching, sexual harassment, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure, sexual teasing, innuendo, sexual assault and rape.

Psychological Abuse:

Psychological abuse includes the use of verbal and physical threats, fears of bribes to:

- Negate an adult an individual's choices and independent wishes
- Cause isolation or over-dependence
- Prevent an individual from using services which would otherwise aid and extend them.

Psychological abuse includes intimidation, humiliation, shouting, swearing, emotional blackmail, bullying and the denial of basic human and civil rights (including choice and opinion, privacy and dignity and allowing people to follow their own spiritual or cultural beliefs or choice about their own sexuality).

Financial Abuse:

This involves an individual's resources being inappropriately used to the advantage of another person. It includes the withholding of money or inappropriate or unsanctioned use of a person's money or property, usually to the disadvantage of the adult to whom it belongs.

Neglect or Acts of Omission

Ignoring or withholding physical or medical care needs. The deprivation of help to perform activities of daily living and failure to intervene in behaviour which is dangerous to the individual concerned or to others. Allowing a person judged to lack capacity to make decisions to take unwarranted and unreasonable risks. When a manager, or other care provider in a position of responsibility, does not ensure that appropriate care, environment or services are provided to maintain the health and safety of vulnerable people in their care then they may be open to a charge of 'wilful neglect'.

- Neglect may be regarded not only as the commission or omission of an act, but also the threat of risk of such.
- Neglect may also occur as a result of unintentional actions by carers in not responding adequately to the needs of the vulnerable person. This can occur where the carer lacks the physical, financial and/or mental resources to provide sufficient care, or lacks knowledge about their dependant's illness or disability and have not received guidance or support on how to care.

Discriminatory:

A violation of human and civil rights by any other person or persons. This is abuse which is racist or sexist in nature or about a person's disability or sexuality. Any form of harassment or bullying. There is some cross-over with other forms of abuse.

Organisational:

When the lifestyles of individuals are sacrificed in favour of the rituals, routines and/or restrictive practices of the home or care setting. Care may not be individualised, rules may be used inappropriately and there may be a lack of stimulation.

Self Neglect:

A wide range of behaviour such as neglecting to care for personal hygiene, health or surroundings. This could include hoarding, failure to complete personal care or attend to own health needs.

Domestic Abuse:

Incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is or has been an intimate partner or family member regardless of gender or sexuality. This could include psychological, physical, sexual, financial, emotional, 'honour based' violence, female genital mutilation or forced marriage.

Modern Slavery:

Traffickers and slave master use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. Including human trafficking, forced labour, domestic servitude and sexual exploitation.

"ABUSE IS ABOUT THE IMPACT ON THE PERSON, NOT THE INTENT!"

Prevent Duty

The Prevent duty is the UK's counter terrorism strategy that aims to prevent terrorist attacks before they occur.

What makes someone vulnerable to radicalisation?

- Low self esteem
- Victimisation
- Guilt
- Loss
- Lack of Trust
- Isolation
- Family breakdown
- Charismatic leader
- Lack of theological understanding
- Mental health problems
- Sense of worth
- Social exclusion
- Fear
- Lack of purpose
- Unemployment
- Political grievance
- Peer pressure
- Anger/Desire for revenge

How our learners are vulnerable:

- Easily manipulated
- Trusting of others
- Led or befriended
- Unsupervised at times/independent use of the internet
- Limited understanding of consequences

Assessing the risk

Consider:

Engagement – a person's susceptibilities, motivations and influences

Intent – is the individual ready to use violence to promote their views?

Capability – do they have the skills, resources and networks to commit acts of terrorism?

How does radicalisation happen?

- Develops from a friendship
- Attention may make them feel special
- Threat of exclusion
- Desire for self-belonging/worth

Signs of Abuse

What to look for – these are examples and not an exhaustive list Physical signs:

- Multiple bruising, including bruising in well protected areas, e.g. the inside of the thighs or upper arms or bruising at different stages of healing
- Finger marks
- Burns, especially if in unusual places
- An injury similar in shape to an object
- Unexplained fractures
- Under or over use of medication
- Unexplained weight loss
- Unkempt appearance, for example, unshaven, inadequate or dirty clothing
- Being left in a wet or soiled bed

Psychological/behavioural signs

- The person being cared for appears depressed, frightened, withdrawn, agitated, anxious or aggressive,
- sudden withdrawal from activities by an individual who has previously enjoyed participating
- self -isolating
- There is an unexpected/unexplained change in behaviour.
- Depression, loss of appetite
- sleeplessness or nightmares
- increase in inappropriate or seductive behaviour
- mimicking of explicit sexual activity
- self-injury
- aggression to one particular person

Signs of Radicalisation

- Overly secretive about internet use
- Isolation/withdrawal
- 'Them and Us' mentality
- Argumentative
- Strong viewpoints expressed aggressively
- Questioning faith/identity
- Altered appearance
- Unusual behaviour/abnormal routines
- Silence
- Anger

3. Whistle blowing – an integral part of safeguarding and protecting adults in need of safeguarding

A whistle blower is someone who discovers something that is wrong and alerts their employer or the relevant authorities to what is going on. If a member of staff sees abuse (or what appears to be abuse), s/he should report to one of the colleges Designated Safeguarding Leads (DSL) and explain the concerns. If the member of staff is not satisfied with their response, or if the DSL is seen to be colluding with inadequate care, the member

of staff is expected to report the concern to the Principal. The first concern has to be the protection and safety of the individual, who is vulnerable and may need the staff to voice concern on their behalf.

The law protects whistle blowers from their employer subjecting them to detriment or dismissal because of their having "blown the whistle" and from detrimental treatment by their colleagues. To be protected by the law, the act of whistleblowing must fall within the legal rules and the whistle blower must reasonably believe that their disclosure of wrongdoing is made in the public interest.

Any person who criticises or victimises a bona fide whistle blower will be liable to disciplinary action.

Summary of safeguarding whistle-blowing action to be taken by staff:

If staff suspect or come across a case of abuse, they should:

1. Ensure the victim is safe and removed from danger, IF A CRIME IS SUSPECTED YOU MUST CALL 999 IMMEDIATELY.
2. Do not contaminate any evidence particularly if you suspect sexual abuse i.e. do not change clothes, bedding or encourage bathing.
3. Inform the relevant Safeguarding officer immediately and ask for guidance on how to proceed.
4. Unless an individual wishes it, never discuss the matter with them if others are present, as they may be too afraid or ashamed to talk.
5. Never discuss concerns with a possible abuser at any stage. This might put the individual at risk and could lead to further problems.
6. Always respect the needs and wishes of the individual who might be the victim of abuse.
7. Be sensitive to the religious and cultural background.
8. Never 'cover up' for a colleague who is suspected of being abusive.
9. Always report any incidents or suspicions to the appropriate Safeguarding Officer.
10. Seek advice or support from a professional body or union if you feel in need of advice and/or support when whistle-blowing.
11. Always check that action has been taken.

After you have raised a concern, we will decide how to respond which will usually involve making internal enquiries but it may become necessary to carry out a full investigation which may be formal or informal depending on the nature of the concern raised. We will endeavour to complete investigations within a reasonable time. We will keep you informed of progress and let you know when the investigation is completed. We will not be able to inform you of any matters which would infringe any duty of confidentiality owed to others.

4. Creating a safe environment

At Landmarks there are many ways in which we aim to create a safe environment, including:

- Regularly reviewing individualised risk assessments, support and learning plans
- Ensuring safeguarding is discussed in staff meetings, supervisions and appraisals as well as student meetings
- DBS checks
- Internal policies and procedures including complaints, whistle blowing, health and safety
- Regular training including safeguarding
- Providing accessible information
- Risk assessments
- Working and linking with other professionals
- Clear and effective channels of communication

5. Landmarks college's practices to safeguard students

All students have individual risk assessments that staff must familiarise themselves with before working with them. Managers, Senior support staff, Tutors, and Session leaders must ensure all staff are fully aware of these and they are given the time to read them. These risk assessments detail the support and possible restrictions that must be put in place to keep individuals safe from risks including possible abuse. They also contain information to promote the general wellbeing and health of the individual.

Students receive training and advice about keeping safe and living a healthy life style. This is delivered in sessions and by their personal tutors. It includes the safe use of the Internet which is covered in the e- safety policy.

Procedure in the Event of abuse or suspected abuse

You suspect an adult is at risk from abuse



CONCERN

Assess if anyone is in immediate danger and ensure immediate safety and welfare of the adult at risk

RAISE A CONCERN:

Contact a member of the Designated Safeguarding Lead team or call the Principal (DSL) on 07974190022

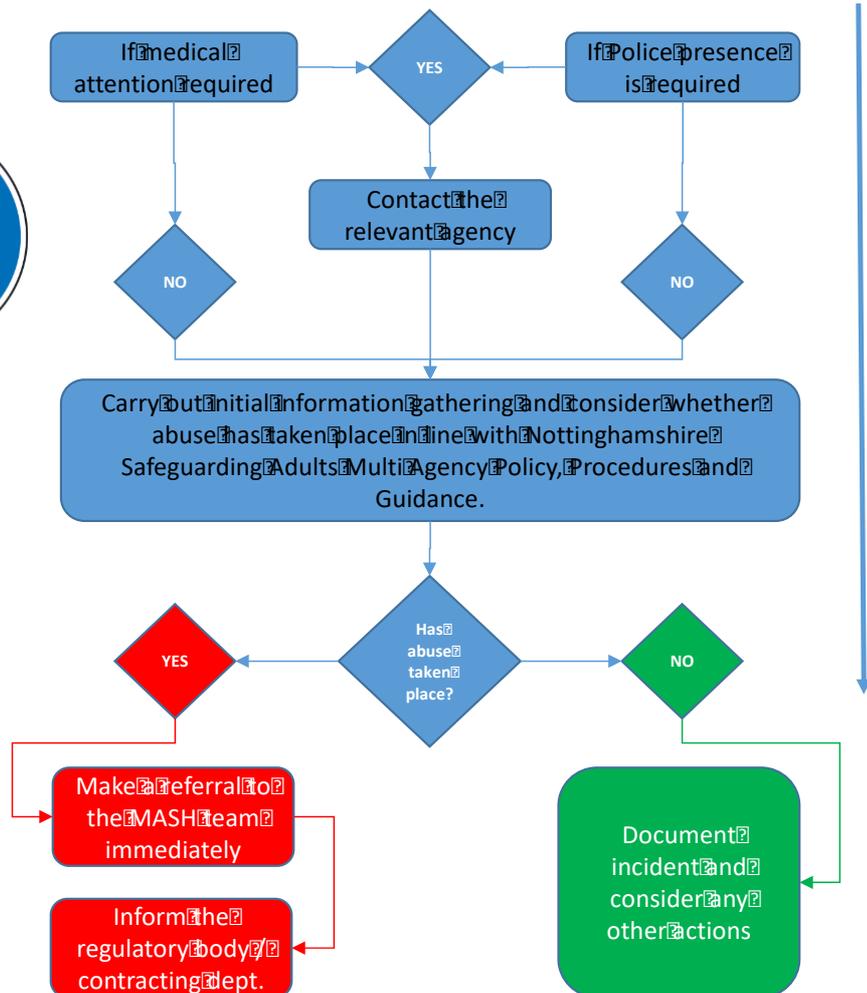
COMPLETE AN EVENT LOG ENTRY:

The D/DDS L will advise you on what to enter on the Event Log

Designated Safeguarding Lead/Deputy will assess...



REFERRAL



How to respond when a person says they have been abused – guidance for staff.

It is vital that our actions do not harm the learner further or prejudice further enquiries, for example:

- listen to the learner, if you are shocked by what is being said, try not to show it
- it is OK to observe bruises but not to ask a learner to remove their clothing to observe them
- if a disclosure is made,
 - accept what the learner says
 - stay calm, the pace should be dictated by the learner without them being pressed for detail by asking leading questions such as “what did s/he do next?” It is your role to listen - not to investigate
 - use open questions such as “is there anything else you want to tell me?” or “yes?” or “and?”
 - be careful not to burden the learner with guilt by asking questions like “why didn’t you tell me before?”
 - acknowledge how hard it was for the learner to tell you
 - do not criticise the perpetrator, the learner might have a relationship with them
 - do not promise confidentiality, reassure the learner that they have done the right thing, explain whom you will have to tell (the designated lead) and why; and, depending on the learners age, what the next stage will be. It is important that you avoid making promises that you cannot keep such as “I’ll stay with you all the time” or “it will be all right now”.

Recording information

- Following a disclosure, raise your concern with a D/DDSL and make a single entry onto Databridge if instructed to do so:
 - record the date, time, place and context of disclosure or concern, facts and not assumption or interpretation.
 - Your name and role should be included.

Supporting learners

- The staff and trustees recognise that a young person who is abused or witnesses violence may find it difficult to develop and maintain a sense of self worth. We recognise that in these circumstances learners might feel helpless and humiliated, and that they might feel self blame.
- We recognise that this College might provide the only stability in the lives of learners who have been abused or who are at risk of harm.
- We accept that research shows that the behaviour of a learner in these circumstances might range from that which is perceived to be normal to aggressive or withdrawn.
- The College will support all learners by: discussing child protection cases with due regard to safeguarding the learner and his or her family; supporting

individuals who are or thought to be in need or at risk, encouraging self-esteem and self-assertiveness, challenging and not condoning aggression, bullying or discriminatory behaviour, promoting a caring, safe and positive environment.

Confidentiality

- The personal information about all learners' families is regarded by those who work in this College as confidential. All staff and volunteers need to be aware of the confidential nature of personal information and will aim to maintain this confidentiality
- Staff understand that they need know only enough to prepare them to act with sensitivity to a learner and to refer concerns appropriately. The designated leads and Principal will disclose information about a learner to other members of staff on a need to know basis only. It is inappropriate to provide all staff with detailed information about the learner, incidents, the family and the consequent actions.

Staff must be aware that:

- they cannot promise a learner complete confidentiality – instead they must explain that they may need to pass information to other professionals to help keep them or other learners safe
- Where there are concerns about a learners welfare relevant agencies need to be involved at an early stage. If a member of staff or a volunteer has concerns about a learners welfare, or if a learner discloses that s/he is suffering abuse or reveals information that gives grounds for concern, the member of staff should speak to their designated person with a view to passing on the information.

Working with parents/carers

- Parents and carers play an important role in protecting their learners from harm.
- In most cases, the College will discuss concerns about a learner with the family and, where appropriate, seek their agreement to making referrals to learners and Families Direct.
- Where there are any doubts, the designated lead should clarify with learners and Families Direct whether, and if so when and by whom, the parents should be told about the referral.
- The learners views will be considered in deciding whether to inform the family, particularly where the learner is sufficiently mature to make informed judgments about the issues, and about consenting to that.

"learners want to be respected, their views to be heard, to have stable relationships with professionals built on trust and for consistent support provided for their individual needs. This should guide the behaviour of professionals. Anyone working with learners should see and speak to the individual; listen to what they say; take their views seriously; and work with them collaboratively when deciding how to support their needs." Working Together 2015

- The College aims to help parents understand that the College, like all others, has a duty to safeguard and promote the welfare of all learners. The College may need to share information and work in partnership with other agencies when there are concerns about a learners welfare.

Professional development

- The trustees recognise that all staff and volunteers who work with learners need to have appropriate safeguarding training that equips them to recognise and respond to welfare concerns.
- We will ensure staff are given mandatory induction, which includes familiarisation with our safeguarding policy, staff conduct policy, the Designated leads in the College, their responsibilities and procedures to be followed.
- A report of the College’s training needs assessment is presented to the trustees annually so that they can ensure that training is appropriately provided for all staff.
- A training register is kept to indicate when staff and trustees have been trained and this in turn informs the *annual* report to trustees.
- Safer recruitment training has been completed by:

Name	Role	Date
Sue Windle	Chair of Trustees	January 2017
Larry Brocklesby	Principal	January 2017
Jayne Price	Vice Principal	September 2017
Denise Adams	Administration Manager	January 2017
Clare Connolly	Curriculum Manager	September 2017
Katie Koszegi	LSA	December 2017
Emily Lang	Administration	December 2017

Prevention in the Curriculum

- The College recognises the importance of developing learners’ awareness of behaviour that is unacceptable towards them and others, and how they can help keep themselves and others safe.
- The PSD programme provides personal development opportunities for learners to learn about keeping safe and who to ask for help if their safety is threatened. As part of developing a healthy, safer lifestyle, learners are taught to, for example:
 - safely explore their own and others’ attitudes
 - recognise and manage risks in different situations and how to behave responsibly
 - judge what kind of physical contact is acceptable and unacceptable
 - recognise when pressure from others (including people they know) threatens their:
 - personal safety and well-being and develop effective ways of resisting pressure;
 - including knowing when and where to get help
 - use assertiveness techniques to resist unhelpful pressure.

- Internet Safety

In the unlikely event that you are unable to contact a D/DSL or the Principal report the incident to:

Safeguarding Adults

Emergency Duty Team 0300 456 4546

Reporting

A Safeguarding Officer will decide whether the concern constitutes abuse and may pass on the allegations to the Adults and Communities Customer Service Centre or Safeguarding Children Referral line.

They must keep detailed records of all telephone conversations and actions on a referral form which will include informing the Care Quality Commission (CQC) of reported incidents that have been classed by the investigatory team as "safeguarding" and informing social workers and funding agencies of all individuals concerned in the incident. They should inform parents of students and residents who are under 18 and those 18 and over who do not have the mental capacity to make their own decisions regarding this. For those individuals 18 and over who have the mental capacity to make their own decisions, they should be asked whether they want their parents to be informed or not and this should be respected.

If the Safeguarding Officer decides not to refer the concern then an Alert no referral form should be completed stating the reasons why.

Investigating.

This will be carried out by a member of staff from the Leicestershire Social Services teams detailed above. All records should be sent by secure post on request.

Other circumstances where an alert should be made

If a staff member becomes aware of any member of staff or their family, or a student/resident's family, becoming involved in a police investigation, this should be reported to a safeguarding officer immediately so that appropriate risk assessments and actions can be undertaken to safeguard the students and residents. Safeguarding reporting officers must report these to the respective agencies and inform the Principal.

6.Related Legislation

If legal advice and services are needed in a Safeguarding Adults investigation, they will be brought in by the lead agency (health or social care). Staff training raises awareness of the legislation that protects staff and the people who use the service including:

Mental Capacity Act 2005

This sets out very clearly how we assess for capacity and make best interest decisions. The main principles of the act are:

1. A person must be assumed to have capacity unless it is established that they lack capacity.
2. A person is not to be treated as unable to make a decision unless all practicable steps to help him/her have been taken without success.
3. A person is not to be treated as unable to make a decision merely because it is seen as an unwise decision.
4. Anything done for or on behalf of a person who lacks capacity must be in their 'best interests'.
5. Anything done for or on behalf of a person who lacks capacity must be the 'least restrictive' of their rights and freedoms.

Assumptions about a person's capacity to make decisions cannot be based upon their condition, appearance, behaviour or age.

The Act also covers the criminal act of wilful neglect or ill-treatment of an adult lacking capacity. This is punishable by up to five years in prison.

The Deprivation of Liberty Safeguards (DoLS) are an amendment to the MCA. They state that it is unlawful to deprive someone of their liberty. In some cases, however, where a person lacks capacity to make decisions about their own care, and needs to be deprived of their liberty in order to receive the care they need, a care home or hospital may apply for authorisation to do this.

Sexual Offences Act 2003

This states it is illegal for a person providing care to engage in sexual activity with someone receiving care.

Those in 'relationships of care' (social workers, GPs, care and support staff, NHS staff, home care workers, friends who provide care, assistance or services in connection with the person's mental disorder) should not engage in any sexual act with a person with a mental disorder.

This applies both to those who do not have capacity to consent, and those who 'may or may not be able to consent to sexual activities but who are vulnerable to inducements, threats or deceptions because of their mental disorder'.

Human Rights Act 1998

This gives everyone the right to live free from abuse and violence and degrading treatment, under Article 2 – Right to life protected by law

Article 3 – Freedom from torture or inhuman or degrading treatment

Article 5 – Right to liberty and security of person

Article 14 – Freedom from discrimination, including age or disability

Public Interests Disclosure Act 1998

This protects workers from detrimental treatment or victimisation from their employer if, in the public interest, they blow the whistle on wrongdoing.

Workers are protected from dismissal and a right not to be subjected to any 'detriment' from their employer if they make a 'protected' disclosure.

To qualify for protection, disclosures must be concerning something that has happened, is happening or is likely to happen in the future such as criminal offence, breach of a legal obligation, miscarriage of justice, danger to health or safety of any individual, damage to the environment.

Useful links

www.thinkuknow.co.uk

www.disrespectnobody.co.uk

www.saferinternet.org.uk

www.internetmatters.org

www.childnet.com/cyberbullying-guidance

www.pshe-association.org.uk

educateagainsthate.com www.gov.uk/government/publications/the-use-of-social-media-for-online-radicalisation