

Safeguarding Policy 2020 – 2021

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Date Approved	July 2020
Review Date	June 2021

The London Borough of Merton is committed to providing high quality and sustainable adult learning in order to improve the social, economic, health and wellbeing of our residents. We deliver this through a strategic investment approach: commissioning provision to the best providers in the field and by developing sophisticated evidence based approaches to what we deliver.

We firmly believe that it is always unacceptable for any learner or staff member to encounter and experience abuse or harm of any sort and as such LBM understands and fully appreciates its responsibility to safeguard all.

LBM understands and recognises that the welfare of learners is paramount at all times, regardless of any protected characteristic and as such have the right to equal protection from all types of harm. Using a multi-agency approach is key to promoting a safe environment for everyone in partnership with LBM.

Our policy is looking to provide a safe environment for all at LBM, whether staff or learners and to ensure that all who are connected our service have the most up to date knowledge to inform any decisions made in respect of someone who may be suffering from, or at risk of harm, or from being drawn into extremism.

We will safeguard learners by ensuring we have our own robust processes in place for safeguarding, only commission to the best providers in the field who have robust safeguarding policies, and recruit staff safely. Also, by adopting and promoting guidelines, sharing information with those who need to know and involving learners by valuing them, listening and respecting them.

Strategic Lead – Anthony Hopkins

Designated Safeguarding Officers – Patricia Carlisle / Jeanette Martin

Statement of Intent

This policy is drawn up in recognition that there is an ever present risk of harm happening to young people and vulnerable adults.

It is our duty to prevent harm and take effective action when harm is suspected or disclosed in a timely manner.

LBM fully recognises its responsibilities for safeguarding vulnerable adults and children. Safeguarding is paramount and it is the duty of all LBM staff and volunteers working with, or in contact with children and vulnerable adults.

The policy sets out the steps that LBM takes / will take to safeguard learners who are at risk of harm or neglect and the responsibilities of all tutors, providers and employees in the recognising, reporting and investigating of suspected abuse or neglect.

The best defence against harm is the strength of values incorporated in the learning environment. LBM believes that all learners and staff are entitled to be treated with dignity, courtesy and respect regardless of their protected characteristic.

To do this learners must have the ability to protect themselves, make their views known and be listened to and action taken accordingly. LBM will ensure all learners, tutors, providers and their staff actively have the opportunity to talk to staff about the service they are receiving.

This policy has been written in accordance with legislation established in the Children Act 2004 and the HM Government guidance document: Working Together to Safeguard Children (updated 2018), and the Prevent duty 2011.

Who the Policy relates to

This policy applies to our staff, learners and providers it should be read and understood and adhered to, alongside our associated policies and procedures.

Note: Under 18s cannot be accepted onto our courses, with the exception of Family Learning courses. Staff and learners should not bring their children into centers while they are working or studying. The exception to this is during the enrolment process when learners may have their children with them or where a registered crèche has been provided on the premises.

Definitions

Children - means everyone under the age of 18.

Adult – means a person aged 18 years or over.

Vulnerable Adults - Adults are no longer deemed vulnerable because of their personal attributes, characteristics or abilities. An adult is considered 'vulnerable' if they are, 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. The definition of abuse of adults is contained in 'No Secrets' (para 2.3). Abuse is a violation of an individual's human and civil rights by another person or persons (para 2.5).

Safeguarding & Welfare - National, statutory guidance 'Working Together to Safeguard Children' (2018) defines safeguarding and promoting welfare 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; and
- Taking action to enable all children to have the best outcomes

Abuse / harm - Abuse is a form of maltreatment of a child or vulnerable adult, by another person or persons in a way that causes significant harm, or affects health, development or wellbeing. Somebody may abuse or neglect a child or vulnerable adult by inflicting harm, or by failing to act to prevent harm. Children or vulnerable adults may be abused from within their family and/or from individuals they come across in their day to day lives. These threats can take a variety of different forms, including: sexual, physical and emotional abuse; neglect; exploitation by criminal gangs and organised crime groups; trafficking; online abuse; sexual exploitation and the influences of extremism leading to radicalisation.

Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.

Responsibilities

Safeguarding includes but is about much more than 'child and vulnerable adult protection'. We have a responsibility to act in order to protect children and vulnerable adults from various potential sources and types of harm such as:

- Physical, sexual, psychological, emotional, financial or material abuse
- Neglect or acts of omission
- Bullying, including online bullying and prejudice-based bullying
- Discrimination, racism, disability and homophobic or transphobic abuse
- Gender-based violence/violence against women and girls
- Peer on peer abuse, such as sexual violence and harassment
- Radicalisation and/or extremist behaviour
- Child sexual exploitation and trafficking
- Child criminal exploitation, including county lines
- Risks linked to using technology and social media, including online bullying; the risks of being groomed online for exploitation or radicalisation; and risks of accessing and generating inappropriate content, for example 'sexting'
- Teenage relationship abuse
- Substance misuse
- Domestic abuse
- So-called 'honour-based violence' including female genital mutilation, forced marriage, breast ironing / flattening
- Fabricated or induced illness
- Poor parenting
- Homelessness
- Modern slavery
- Issues that may be specific to a local area or population, for example gang activity and youth violence
- Self harm
- Other issues not listed here but that pose a risk to children, learners and vulnerable adults

Safeguarding is not just about protecting children, learners and vulnerable adults from deliberate harm, neglect and failure to act. It relates to broader aspects of care and education, including:

- Children's and learners' health and safety and well-being, including their mental health
- Meeting the needs of children who have special educational needs and/or disabilities
- The use of reasonable force
- Meeting the needs of children and learners with medical conditions
- Providing first aid
- Educational visits
- Intimate care and emotional wellbeing
- Online safety and associated issues
- Appropriate arrangements to ensure the security of children and learners, taking into account the local context.

All staff and volunteers, including those working for our providers, must:

- be familiar with this safeguarding policy and the Prevent duty

- be subject to safer recruitment processes and checks
- take part in regular safeguarding and Prevent training
- give highest priority to their safety and welfare
- recognise, identify and respond to signs of abuse, neglect, radicalisation or extremism, and other safeguarding concerns
- respond appropriately to a disclosure by an adult, child, or young person, of abuse or risk of abuse, and notify the Designated Safeguarding Officer
- respond appropriately to allegations against staff and/or other adults
- understand and implement safe practice in carrying out their duties
- be alert to the risks which abusers, or potential abusers, may pose

The Service Manager will ensure that reports and information is provided to governance and scrutiny, through Senior Manager, and Advisory Panel meetings.

Designated Persons for Safeguarding

All designated persons have been trained in Safeguarding. MAL will request evidence of Designated Safeguarding Officer (DSO) training for providers as part of their subcontracting quality assurance process.

The responsibilities of the designated person(s) are as follows, but not limited to:

- First point of contact for any safeguarding issues and co-ordinating action accordingly
- Liaising with MAL, Children and Adult Social Services, and any other agencies, on individual cases of suspected or identified abuse
- Ensuring all tutors, staff, volunteers, learners and providers know the Safeguarding policy and procedures
- Ensuring a safer recruitment process is followed for new staff
- Ensuring Disclosure and Barring Service (DBS) checks are completed for all new tutors and staff, with updated checks for all current staff including those of providers who may have regular unsupervised contact with vulnerable adults and children are completed via the online system and ensure the Single Central Record holding these DBS checks is regularly monitored and updated accordingly (LBM requires that DBS checks are renewed every 3 years)
- Ensuring that robust safeguarding policies, practices and training are in place and that they are reviewed annually
- Continual awareness raising of the need to build resilience, and ongoing communication of safeguarding vulnerable adults and children, including Prevent
- Attending Safeguarding meetings for both strategic and practitioners
- Reviewing and revising safeguarding policies
- Ensuring that effective procedures in relation to reporting, recording and referrals are fully communicated and implemented
- Communicate information and provide reports regarding safeguarding and Prevent for governance and scrutiny

- Gaining feedback from learners regarding if they feel safe and know who to report to if they need help or have a concern

Alerts

Any member of the LBM Adult Learning team may be alerted to a potential case of abuse or harm. This could be by disclosure, witnessing or suspicions raised by indicators. All staff are responsible for reporting harm to the Designated Person. (See flow chart page 11)

Disclosures/concerns should not be ignored as the first priority is the welfare of the young person or vulnerable adult.

Alerts within a subcontractors environment should initially be raised with the providers Designated Safeguarding Officer. This information will then be shared during quality assurance discussions, or immediately if there is a significant risk of harm.

Alerts should not be treated confidentially and the learner must be aware that the member of staff will need to report as per policy. As such it is important tutors and providers inform learners from the beginning of their learning journey and throughout about safeguarding and the rights and responsibilities they have.

If any member of staff becomes aware or is concerned that a student who is enrolling or already attending a LBM course may have been involved in sexual, violent or extremist offences this information must be passed immediately to the Designated Person. The Designated Person must contact outside agencies to obtain any risk information on a 'need to know' basis, assess the risks to other students, and liaise with the Adult Learning team about the action to be taken.

Referrals to the Channel Panel (a range of multi agency partners) are designed to enable work with individuals of any age who are at risk of being exploited by extremist or terrorist ideologies. The process is shaped around the circumstances of each person and can provide support for any form of radicalisation or personal vulnerabilities. (See referral flow chart page 12)

What to do

Disclosure (by vulnerable adult, child or third party) must only be passed to those persons on a 'need to know' basis.

Tutors, staff and volunteers should not investigate concerns themselves, as this is the role of the statutory agencies. However, if an adult or child does talk to you, it is vital that you listen carefully:

Listen – do not ask closed or leading questions, interrogate or give opinions

Do not promise the vulnerable adult or child you will keep secrets but thank and congratulate them for coming forward

Tell the adult or child that you will need to talk to someone else who can help

Remain calm – be sensitive and sympathetic. You may feel shocked, angry or upset by what you have been told but if the vulnerable adult or child senses this, it may prevent them from disclosing

Re-assure the vulnerable adult or child that they have done nothing wrong. Talk to the vulnerable adult or child in age appropriate language

Record what you know - as soon as possible write down what you been told, but not during the disclosure. Ensure you record the facts as soon as the person has left

Report to the Designated Person as soon as possible after the disclosure

Referral - will be made by the Designated Person to the relevant agencies/board/police etc. after the internal investigation has taken place and concern is still very much apparent

Safer Recruitment

LBM has a Safer Recruitment policy in place, and requires all providers to also have a policy and process in place that meets our requirements.

LBM Adult Learning team and HR will scrutinise LBM employee applicants, verifying Right to Work in the UK and qualifications, obtaining suitable references and checking previous employment history. All subcontracted providers will be asked to confirm this process exists in their organisation as part of the quality assurance and contracting process.

Relevant staff must be DBS checked when starting work with us or a subcontracted provider. If a tutor is going to teach groups of vulnerable adults, young people or children or work in a regulated place, a satisfactory clearance must be obtained in advance. Volunteers and support workers must be DBS checked if working 1:1 with children or vulnerable adults.

Staff that will not have lone working with children or vulnerable adults can be risk assessed subject to approval by the Designated Person.

Staff waiting for DBS checks to be cleared can undergo training and induction and a risk assessment must be completed. But they cannot undertake any unsupervised face-to-face work with vulnerable adults or children.

Providers must keep a centralised list of all staff DBS and safeguarding training information. This will be monitored as part of our quality assurance process and reviewed in monthly monitoring meetings and termly contract review meetings.

Radicalisation and Extremism

LBM is fully committed to safeguarding and promoting the welfare of all its students. It recognises that safeguarding against radicalisation is no different from safeguarding against any other vulnerability in line with the 'Prevent Strategy' 2011.

Our aim is to ensure that staff, including those of our providers, are fully engaged in being vigilant about radicalisation and extremism; we will work alongside other professional bodies and agencies to ensure that our learners are safe from harm. We will look to ensure staff provide learners with enough information about how to keep themselves safe, and the risks imposed by extremism and radicalisation.

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.

This list is not exhaustive, nor does it mean that all learners experiencing the above are at risk of radicalisation and 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 changes to appearance and / or behavior
- Experiencing a high level of social isolation resulting in issues of identity crisis and / or personal crisis.

However, we are aware that some of these factors may be related to other safeguarding concerns.

The principle objectives are that:

- All teaching and non-teaching staff will have an understanding of what radicalisation and extremism are and why we need to be vigilant.
- All teaching, non-teaching staff and learners will know what the LBM and/or the providers' policy is on anti-radicalisation and extremism and will follow the procedures when issues arise.
- All students will know that the policies are in place to keep students safe from harm and that LBM and providers regularly review their systems to ensure they are appropriate and effective.
- Ensure that the E-Safety policy is adhered to and that no opportunities arise or are available for extremist views to be shared or learners to be groomed.

Definitions and Indicators:

Radicalisation is defined as the act or process of making a person more radical or favouring of extreme or fundamental changes in political, economic or social conditions, institutions or habits of the mind.

Extremism is defined as the holding of extreme political or religious views.

Although serious incidents involving radicalisation have not occurred at LBM Adult Learning to date, it is important for us to remain constantly vigilant and remain fully informed about the issues which affect the wider region in which we teach.

We encourage tutors and providers to suspend any professional disbelief that instances of radicalisation 'could not happen here' and to refer any concerns through the appropriate channels (currently via the Designated Safeguarding person).

As noted in the 'Prevent' report 2014, 'extremism can flourish where different parts of a community remain isolated from each other'. Integrated communities will be more resilient to the influence of extremists and as such the work carried out by LBM within Family Learning and Community Learning as a whole will look to develop communities and make them stronger which in turn will develop resilience.

Through joint meetings with providers and by following the quality assurance process, the Adult Learning team will ensure that tutors and providers are fully aware of the threats, risks and vulnerabilities that are linked to radicalisation; are aware of the process of radicalisation and how this might be identified early on.

County lines

County lines is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons. The response to tackle it involves the police, the National Crime Agency, a wide range of government agencies and voluntary and sector organisations.

The UK government defines County lines as a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'.

Gangs and criminal networks are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

Child criminal exploitation is common in county lines and occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18. The victim may have been criminally exploited even if the activity appears consensual.

Child criminal exploitation does not always involve physical contact; it can also occur through the use of technology.

LBM works with subcontracted providers to raise awareness of County Lines and looks to ensure staff have an understanding of it, and why we need to be vigilant.

MAL will assess the understanding of both learners and staff through the quality assurance process.

E-Safety

LBM has a robust E-Safety and Acceptable Use of ICT Policy which can be viewed separately.

To prepare learners for the needs of today and their future working lives, where the curriculum whether face to face or online, and their personal goals require them to learn how to locate, retrieve and exchange information using a variety of technologies, we need to ensure we understand the risks of this and minimise/eradicate where possible.

At LBM we seek to maximise the educational benefit that can be obtained by exploiting the use of ICT, whilst at the same time minimising any associated risks. By working with tutors and providers to make clear to learners and staff what the expectations are regarding the use of ICT, we aim to protect our learners from harm, as far as reasonably practicable.

The precise nature of the risks faced by users will change over time as technologies, fads and fashions change but there are general principals of behaviour and the code of conduct that apply to all situations e.g: all users need to know what to do if they come across inappropriate material, and that tutors and/or providers should not give out tutors personal information to learners such as their personal telephone numbers, email address or allow access to their personal social networking site accounts and so on.

We expect tutors and providers to communicate to our learners and in particular, children young people and vulnerable groups on LBM courses that they should not give out their personal information such as telephone numbers; addresses etc to strangers or publish this information on social networking sites.

Concerns or allegations about staff or volunteers

Allegations or concerns about a member of staff or volunteer must be reported to the Designated Person immediately.

This could include that a member of staff has:

- Behaved in a way that has harmed an adult or young person
- Possibly committed a criminal offence against or related to an adult or young person
- Behaved in a way that is inappropriate or indicates that they are unsuitable to work with adults or young people.

The main priority is to assess the situation and allegation first to ascertain whether a referral is required to incorporate the next steps in a multi-agency approach. Once the referral has been made then depending on the outcome of any investigation that may be undertaken externally, the concerns or allegations will be normally be dealt with through the subcontracted provider and/or LBM procedures.

It may be advisable depending on the situation to remove the vulnerable adult or child from any activity that would mean that they have direct contact with the member of staff or volunteer.

If the person who raised the concern does not believe that the allegation/concern is being dealt with in the most appropriate manner then they should raise this with the Adult Learning team. If it relates to allegations or concerns relating to children then it can be escalated to the Local Authority Designated Officer (LADO).

If you are concerned about malpractice then the website <https://www.pcaw.org.uk/> can offer confidential advice.

Code of Conduct

It is imperative that all tutors, staff and providers conduct themselves professionally at all times and understand their responsibilities to not only keep themselves safe but also the learners they encounter in their line of work.

- Staff and learners must follow the providers code of conduct policies
- Staff personal details are not to be shared with anyone, this includes email and personal phone numbers.
- If learners' email addresses have been taken within a course, then they should be destroyed by teaching staff once the course has been completed. Information relating to learners should only be kept by the MIS team and student services at the respective provider, and again are not to be shared with external parties unless in line with safeguarding.
- Within courses learners must be aware of the risks they may encounter if they share personal information amongst themselves. Learners often do not know other colleagues outside of the classroom and potentially could be opening themselves up to risk.
- Staff and learners are not to form personal relationships, if a member of their family, their partner or friend join a course, as good practice please inform the DSO who can keep a record of this. Forming relationships can potentially compromise professionalism and be seen as putting learners at risk.
- Tutors and staff should not add learners to any social media sites, this includes but not limited to Instagram, Facebook, Twitter and Tinder.
- Staff are not permitted to sell any outside resources within the classroom unless given approval by their line manager as this could lead to allegations of financial abuse.
- Subcontracted providers must have a policy in place for external speakers. Any visitors, including speakers must have a risk assessment completed prior to any visit. Permission must be obtained from the relevant manager prior to the arrangement and the risk assessment must be carried out on the individual and/or group of visitors/speakers including all content of the visit. While the visit is carried out, the tutor must remain within the classroom at all times. A copy of the risk assessment must be filed and retained by the subcontracted provider.

Further information

Merton Council information

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

<http://www.merton.gov.uk/community-living/communitysafety/safermerton.htm>

<http://www.merton.gov.uk/health-social-care/children-family-health-social-care/safeguardingchildren/multi-agency-safeguarding-hub.htm>

Gov.UK guidance

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

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

<http://www.legislation.gov.uk/ukpga/2014/23/contents>

The Prevent duty guidance

<https://www.gov.uk/government/publications/prevent-duty-guidance>

Ofsted guidance

<https://www.gov.uk/government/collections/education-inspection-framework?#guidance-for-education-providers>

This policy sets to safeguard everyone involved in the Merton Adult Learning provision through LBM, whether tutors, staff, providers or learners and as such due regard and acknowledgement must be made of this policy by all.

Learners within their induction and throughout their course should have their well-being highlighted as an important concern for LBM.

This policy will be reviewed annually, or before in the event of any significant changes to guidance or policy.

Referral Flowchart



