

SAFEGUARDING YOUNG PEOPLE & VULNERABLE ADULTS POLICY

POLICY STATEMENT

This Policy must be read in conjunction with the SET Procedure, which can be accessed via <http://www.escb.co.uk/>

The safety and welfare of our learners is of the utmost importance.

VTS has a duty of care and a legal obligation to safeguard and promote the welfare of our learners and to respond immediately if there is a suspicion that any learner under the age of 18 years old, or vulnerable adult, may be a victim of bullying, harassment, abuse, neglect or radicalisation.

All VTS employees must protect learners from abuse and be aware that any learner (whether young person or vulnerable adult) may be a victim of, or at risk of, harm or abuse.

VTS understands their social responsibility to service users of VTS learners, including elderly people, young people and vulnerable adults. Safeguarding processes will include action to be taken if abuse or neglect is recognised or witnessed by VTS staff, or allegations or disclosures are made.

VTS recognises that employees need to have basic safeguarding training that equips them to recognise and respond to young person or vulnerable adult welfare concerns. All employees will receive training to familiarise them with safeguarding issues and responsibilities in addition to the VTS policies and procedures.

PURPOSE

The purpose of this policy is:

- To confirm the commitment and obligations of VTS in respect of safeguarding and promoting the welfare of young people and vulnerable adults.
- To ensure VTS complies with the SET Procedure and other relevant Government guidance.
- To provide clear guidance to staff about how to respond when a case of possible harm, abuse or neglect is identified or suspected.
- To ensure staff are aware of their responsibilities in dealing with learners.
- To ensure a prompt and effective response is taken when it appears a learner may be at risk of abuse or neglect.
- To ensure staff are adequately briefed and trained in the implementation of the policy.

- To ensure the roles and responsibilities of the Designated Safeguarding Lead, Safeguarding Officer and all staff and understood by VTS staff.

SCOPE

This policy applies to dealing with learners under the age of 18 years or with vulnerable adults.

If a learner, who is 18 years or older, reports abuse or harm, VTS will consider whether the following procedure should apply. It may be more appropriate that formal action is pursued by the learner under criminal or civil law. However, consideration must be given as to whether these issues would have implications for under 18s or vulnerable adults.

LEGAL CONTEXT AND FRAMEWORK

VTS policies and procedures supplement and accord with the SET (Southend, Essex and Thurrock) procedures, which have been adopted by the local Safeguarding Children Boards.

VTS takes into consideration the following statutory provisions:

- Children Act 2004
- Care Act 2014
- Section 175 of the Education Act 2002

VTS also follows the guidance documents:

- Working Together To Safeguard Children (HM Government, 2015).
- DfES guidance – “Safeguarding Children and Recruitment in Education” (DfES 2006)
- “Working Together to Safeguard Children” (HM Government, 2006)
- “What to do if you’re worried a young person or vulnerable adult is being abused” (Department of Health, 2006)
- SET Young person or vulnerable adult Protection Procedures (SET Local Safeguarding Boards, April 2015)

VTS has statutory duties to assist various agencies including Local Authority Education and Social Services with their enquiries where they reasonably suspect a young person or vulnerable adult is suffering or is likely to suffer harm and with safeguarding or promoting the welfare of a young person or vulnerable adult in all areas.

Additionally, VTS has a pastoral responsibility towards learners and to recognise they have a right to be protected from harm.

VTS also has a duty to ensure that all of the services it provides are ‘exercised with a view to safeguarding and promoting the welfare of children’ (s.175 Education Act 2002).

DEFINITIONS

Designated Safeguarding Lead:	Managing Director – Gail Cooksey Individual who takes lead responsibility for young person or vulnerable adult protection with VTS.
Safeguarding Officer:	Operations Manager – Elizabeth Buxton VTS staff member with day-to-day responsibility for young person or vulnerable adult protection.
Local Safeguarding Children Board:	The statutory body which, pursuant to the Children Act 2004 aims to ensure that the local area has a coherent approach to safeguarding young people or vulnerable adults based on contributions from all key agencies.
Young person/people	Anyone aged under 18 years.
Vulnerable adult	Anyone aged 18 years or over who has a learning difficulty and/or disability, is an international student, or has health or mental health issues. VTS also includes vulnerable older adults within this scope due to the nature of work observed by assessors

KEY CONCEPTS

Significant harm

Under s.31 (9) of the Children Act 1989 as amended by the Adoption and Children Act 2002:

- Harm – means ill treatment, or impairment of health or development, including, for example, impairment suffered from seeing or hearing the ill treatment of another.
- Development – means physical, intellectual, emotional, social or behavioural development.
- Health – includes physical and mental health
- Ill treatment – includes sexual abuse and forms of ill treatment, which are not physical.

Under s.31 (10) of the Act, where the question of whether harm suffered by the young person is significant turns on the young person's health and development, his/her health and development shall be compared with that which could reasonably be expected of a similar young person.

There are no absolute criteria on which to rely when judging what constitutes significant harm. It is the responsibility of Social Care Services to make a judgment if a referral about abuse and/or neglect of a young person falls into the criteria for a s.46 enquiry.



Abuse and neglect

Abuse and neglect are forms of maltreatment of a young person or vulnerable adult. These terms include serious physical and sexual assaults as well as cases where the standard of care does not adequately support the young person's or vulnerable adult's health or development.

Young people and vulnerable adults may be abused or neglected through the infliction of harm, or through the failure to act to prevent harm.

Abuse can occur within the family or in an institution or community setting. Abuse can occur within all social groups regardless of religion, culture, social class or financial position.

Young people and vulnerable adults may be abused by those known to them or, more rarely, by a stranger. They may be abused by an adult/s or another young person/people or vulnerable adult/s.

Working Together to Safeguard Children 2006 sets out definitions and examples of the 4 broad categories of abuse:

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect
- Bullying
- Radicalisation

Elder abuse is similar in definition, but includes an additional category of financial abuse.

These categories overlap and an abused young person or vulnerable adult frequently suffers more than a single type of abuse. This module provides:

- Definitions of these categories
- Information to help identify potential abuse and neglect
- Information about the required response (including referral to Social Care Services)

PROFESSIONAL RESPONSE

The Designated Safeguarding Lead

The Senior Designated Lead (DSL) is responsible for the management of the VTS policy for safeguarding issues. The DSL will have received training in safeguarding issues and will receive refresher training at least every 2 years. The SDM will keep up to date with developments in safeguarding issues.



More specifically, the DSL has the responsibility to/for:

- Liaising with Social Care Services, Local Safeguarding Children Boards, the Police and other agencies to refer individual cases of suspected or identified abuse, neglect or such allegations
- Acting as the key contact person with VTS
- Knowing how to make an appropriate referral and then to liaise with SO in local authorities to seek advice on how best to deal with specific cases
- Being responsible for co-ordinating action within VTS on safeguarding issues
- Where appropriate, liaising with staff to share information, but only on a 'need to know basis', to protect the rights of confidentiality
- Overseeing the planning of any provision managed by VTS, e.g. ensuring an effective approach to dealing with bullying and harassment
- Representing VTS at safeguarding meetings where appropriate
- Raising awareness about safeguarding and ensure all staff are familiar with the internal processes and receive basic training in safeguarding issues
- Nominating a Safeguarding Officer (SO)
- Ensuring that SO is trained in SET procedures
- Providing advice and support to other staff on issues relating to child protection
- Maintaining a proper record of any safeguarding referral, complaint or concern (even where that concern does not lead to a referral)
- Liaising with agencies as appropriate
- Dealing with individual cases, including attending case conferences and review meetings as appropriate
- Liaising with schools which send pupils to VTS to ensure that appropriate arrangements are made for the pupils
- Where an inter-agency safeguarding plan is in place, ensuring VTS is involved in, if necessary, the preparation of the plan and ensuring VTS's role is clearly defined. This will include any involvement with the Multi-Agency Public Protection Arrangement (MAPPA)
- Ensuring that staff receive basic training in safeguarding issues and are aware of the VTS safeguarding processes

The Safeguarding Officer

The SO is responsible for:

- Reporting to the SDM on matters relating to safeguarding young people and vulnerable adults
- Providing first-line advice to staff and learners on safeguarding matters
- Liaising with the SDM to agree and implement actions relating to individual safeguarding cases



- Advising on any improvements that should be introduced to improve the procedures relating to child protection
- Supporting the processes of briefing and training staff on matters relating to child protection
- Undertaking training in safeguarding issues and receiving refresher training at least every 2 years.

The roles and responsibilities of all staff

Everyone at VTS must be aware that any young person or vulnerable adult may be the victim of abuse or may be at risk of, physical abuse, neglect, emotional abuse or sexual abuse.

All staff will receive training to familiarise them with safeguarding issues and responsibilities and the VTS policy and related procedure, with refresher training at least every 2 years.

It is the responsibility of all staff to act immediately if they become aware of an actual case of abuse/neglect or become suspicious that there may be a risk of abuse/neglect.

DEALING WITH DISCLOSURE OF ABUSE & PROCEDURE FOR REPORTING CONCERNS

Confidentiality

Confidentiality is an issue which requires discussion and understanding by all those working with young people and vulnerable adults, particularly in the context of child protection. Normally, personal information should only be disclosed to third parties with the consent of the subject of that information.

Wherever possible, consent should be obtained before sharing personal information with third parties. In some circumstances, consent may not be possible or desirable by the safety and welfare of the child dictates that the information should be shared.

Clear boundaries of confidentiality will be communicated. Staff have a professional responsibility to share relevant information about the protection of young people and vulnerable adults with other professionals.

If a young person or vulnerable adult confides in a member of staff and requests the information is kept secret, it is important the member of staff tells the young person or vulnerable adult in an appropriately sensitive way that s/he has a responsibility to refer cases of alleged abuse to the appropriate people in VTS and they should be assured the matter will be disclosed only to people who need to know.

All personal information regarding a young person or vulnerable adult will be kept confidential except when:

- It is suspected that a young person under 18 years is the victim of abuse



- It is suspected that other young people under 18 years are at risk from abuse
- It is suspected that a vulnerable adult is at risk from abuse

The DSL and SO will liaise with the learner, if appropriate, in respect of disclosure to agencies.

The need to safeguard the interest of the young person or vulnerable adult will be an overriding consideration.

Disclosure of abuse and suspecting abuse

If a young person or vulnerable adult discloses abuse, or if abuse is suspected, VTS staff should:

- Listen carefully and stay calm
- Question normally and without pressure, in order to be sure that what the young person or vulnerable adult is saying is fully understood by the member of staff
- Reassure the young person or vulnerable adult that by telling a member of staff they have done the right thing
- Inform the young person or vulnerable adult that the information must be passed on but that only those who need to know about it will be told. Inform the young person or vulnerable adult to whom the matter will be reported
- Note the main points carefully, be factual using the young person's or vulnerable adult's own words
- Make detailed note of the date, time and place where the alleged abuse took place, what the young person or vulnerable adult said, did and the questions asked by the member of staff. Include a description of any injuries observed, the member of staff's name and those of any other present

For learners who have disabilities and difficulties in communicating, extra care should be taken to enable them to express themselves to a member of staff with appropriate communication skills

Staff should not:

- Put words into the young person's or vulnerable adult's mouth or ask leading questions
- Investigate concerns or allegations, but should report them immediately to the DSL or a SO
- Promise confidentiality
- Forget to record what they have been told
- Fail to pass on the information to the correct person
- Assume someone else will take the necessary action

Acting upon disclosure

Any member of staff who has any concern about a young person or vulnerable adult must discuss the case with the DSL or a SO immediately (at least within the same working day) so that, if necessary, a referral can be made to the relevant agency/local authority without delay.



The SDM will collate relevant information about the case and at the earliest opportunity (normally within the same day), will take a decision about whether the case should be referred to the relevant external agency. The DSL and SO may discuss the case with relevant people/officer in the relevant agency to seek advice as to the appropriate action to be taken.

Where the DSL is not available (i.e. on annual/sick leave), the SO will collate the relevant information and discuss the case with an external agency and organise a referral to the relevant agency if necessary.

If abuse is suspected, but not deemed relevant to refer to the relevant agency, all records must be kept in the DSL incident file.

Reporting Externally

The DSL, and in their absence SO, must report the matter by telephone as soon as possible and within 48 hours must confirm verbal and telephone referrals in writing using an interagency referral form.

If available, the following information should be provided with the referral (absence of information must not delay referral):

- Cause of concern including details of any allegations, their sources, timing and location
- Young persons current location and emotional and physical condition
- Whether the young person needs immediate protection
- Full names, date of birth and gender of young person/s
- Family address (current and previous)
- Identity of those with parental responsibility
- Names and date of birth of all household members and any known regular visitors to the household
- Details of young person's extended family or community who are significant for the young person
- Ethnicity, first language and religion of young person, parents/carers
- Any need for an interpreter, signer or other communication aid
- Any special needs of young person and other household members
- Any significant/important recent or historical events/incidents in young persons or family's life, including previous concerns
- Details of any alleged perpetrators (if relevant)
- Background information relevant to referral, e.g. positive aspects of parents care, previous concerns, pertinent parental issues e.g. mental health, domestic violence, drug or alcohol abuse, threats and violence towards professionals
- Referrer's relationship and knowledge of young person and parents/carers
- Known current or previous involvement of other agencies/professionals e.g. schools, GPs



- Parental knowledge or, and agreement to, the referral

The Social Care Services will acknowledge referrals within 1 working day of receipt of the written referral. If no acknowledgement is received within 3 working days, the SDM must contact the Social Care Services again.

Investigation of a case

Individual members of staff must not investigate abuse concerns. This will be carried out if necessary by the appropriate agency and usually by the Social Care Services and/or the Police.

Reporting concerns about non-learners

It is recognised that assessors may, from time to time, witness the unfair treatment of a young person or vulnerable adult whilst visiting learners. VTS has a duty of care to report incidents to relevant authorities.

If a member of staff is concerned about the welfare of a young person or vulnerable adult they should contact the DSL. If deemed appropriate, the DSL will contact the local Social Care Services of the area in which the young person or vulnerable adult lives or is found (i.e. the employer's address).

The NSPCC (0808 800 5000) helpline offers an alternative means of reporting concerns, as does Action on Elder Abuse (0808 808 8141).

Alternative Education Learners

In the case of an Alternative Education learner, the SO should liaise with the relevant school/pupil referral units designated member of staff.

Making written notes

A member of staff must make a written record of their concerns at the earliest opportunity – recording relevant facts accurately and clearly. Do not make any assumptions or confuse fact with opinion.

When recording discussions that took place regarding the case, members of staff should try to record accurately what was said. Where possible, the actual words that were said should be recorded.

Any notes must be given to the DSL as soon as possible to be held in the Incident file to ensure accuracy in recalling events later.



Written records

The SDM shall retain a copy of:

- The report
- Any notes or correspondence with the matter
- Any other relevant material
- Copies of reports, notes and all documents

Record keeping

All records relating to the welfare and/or safeguarding concerns for learners will be kept in locked in the DSL's room in the Incident file.

Records will be kept of any learner who is listed on the Child Protection Register for any local authority and these records will be maintained within the Incident file. The DSL will ensure that relevant assessors/tutors are advised about the Child Protection Record for any such learner.

Where an assessor/tutor has a learner who is placed on the Child Protection Register, s/he will advise the DSL of any significant changes in behaviour or of any other concerns.

Records relating to the welfare of a learner will remain in the Incident file for a period of one year from the date that the learner leaves VTS.

SHARING INFORMATION AND REQUESTS FOR ASSISTANCE BY OTHER AGENCIES

VTS has a legal duty to assist other agencies, including the appropriate local authority or the Police, when they are making enquiries about the welfare of young people or vulnerable adults.

It is therefore appropriate that information about a young person or vulnerable adult is shared with other agencies but such information must only be shared on a 'need to know' basis with other agencies.

When telephone requests for information are received, the member of staff will forward the contact to the DSL who will deal with the request. When a written request for information is received by a member of staff, they should forward the request to the DSL and they should handle the request.

Requests for attendance at meetings about individual students (e.g. safeguarding conferences) should be notified to the DSL who will arrange the preparation of a report and attendance at the meeting.

Reports on learners should contain information about the learner's:

- Academic progress
- Attendance
- Behaviour

- Relationship with other young people and adults
- Family
- Any other relevant matter

Reports should be objective and distinguish fact, observation, allegation and opinion. Any report shall remain confidential for the purpose of any safeguarding investigation and a copy of the report kept in the incident file clearly stating the date of the meeting and attendee from VTS.

RECOGNITION OF ADDITIONAL VULNERABILITY

Abuse of young people and Information Communication Technology

The internet has become a significant means of distributing abusive images of children and as technology develops, the internet and its range of content services can be accessed through various devices.

There is a growing concern that young people may be abused through:

- Taking, downloading and/or distribution of images of abuse of young people
- Allowing/encouraging a young person to have exposure to inappropriate material via ICT, e.g. adult pornography and/or extreme forms of obscene material
- Young people engaging in text bullying and use of mobile camera phones to capture violent assaults of other children for circulation

Images of abuse of children may be found in possession of those who use them for personal use or distributed to young people as part of the grooming process.

Internet chat rooms, discussion forum and bulletin boards are used as a means of contacting young people with the view to grooming them for inappropriate/abusive relationships. Subsequent communication may be via email, instant messaging, mobile phone or text message.

Bullying

Bullying is a common form of deliberately hurtful behaviour, usually repeated where it is difficult for victims to defend themselves.

It can take many forms, but the 3 main types are physical (e.g. hitting, kicking, theft), verbal (e.g. racist or homophobic remarks, threats, name calling) and emotional (e.g. isolating an individual from social activities/acceptance of their peer groups)

Damage inflicted by bullying is often underestimated and can cause considerable distress to young people to the extent that it affects their health and development. In the extreme it can cause significant harm, including self-harm.



VTS are fully committed to a zero tolerance towards bullying. Those attending Alternative Education programmes will be provided a learner handbook, which states the rules to follow. Assessors will ensure bullying is discussed and included in induction for learning programmes.

If a member of staff witnesses bullying, or is confided in that bullying has taken place, they must immediately contact the DSL or a SO. If the bullying is from another learner, a full investigation will be completed by the DSL.

Essential safeguards for disabled young people and vulnerable adults

Safeguards for disabled young people and vulnerable adults are essentially the same as for non disabled and should include ensuring and enabling them to:

- Make their wishes and feelings known
- Receive appropriate personal, health and social education, including sex education
- Raise concerns
- Have a means of communication and a range of adults with whom they can communicate

VTS will ensure they have:

- An explicit commitment and understanding of disabled young people and vulnerable adults safety and a culture of openness
- Guidelines and training for staff on good practice in handling difficult behaviour, anti-bullying strategies, challenging inappropriate behaviour, working with employers, child protection

ALLEGATIONS OR CONCERN ABOUT A STAFF MEMBER

Recruitment & Selection

VTS has a recruitment procedure which will ensure that every case is taken to ensure that young people and vulnerable adults are protected from unsuitable people.

The recruitment process will apply to all staff within VTS, and will include the following:

- Identity check
- Post or role will be clearly defined
- Key selection criteria for the post or role will be identified
- Requirement to produce documentary evidence of academic/vocational qualifications
- Obtaining professional and character references
- Verification of previous employment history
- Disclosure of spent and unspent convictions
- Enhanced CRB checks
- Use of a variety of selection techniques (qualifications, previous experience, interview, reference checks)

Dealing with allegations

VTS recognises that an allegation of abuse made against a member of staff may be made for a variety of reasons, and that the facts of the allegation may or may not be true. VTS recognises that the Children Act 1989 states that the welfare of the child is paramount concern. It is also recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence and career. Therefore, allegations of abuse by a member of staff shall be handled sensitively.

If a young person or vulnerable adult makes an allegation that is considered to be a potential criminal act, or indicates that s/he has suffered, is suffering or is likely to suffer significant harm, then there will be an immediate referral in accordance with the SET safeguarding procedures. If there is any doubt of these matters, then guidance/clarification can be sought from Social Care Services.

There will however be instances where allegations made do not require referral under SET safeguarding procedures detailed above. Those instances are as follows:

- Where following initial consideration it is absolutely clear to the DSL that the allegation is demonstrably false by virtue of the fact that the immediate circumstances of the allegation show that it would not be possible for the allegation to be true. However, in these circumstances, it should be borne in mind that if a young person or vulnerable adult has made an obviously false allegation, this may well be a strong indicator of abuse elsewhere which requires further exploration. The best way for this to be achieved is through an inter-agency referral in order that any underlying causes can be teased out.
- The allegation may represent inappropriate behaviour or poor practice by a member of staff which needs to be considered under local disciplinary procedures.

Therefore, when such allegations are made, there are four possible outcomes of the initial assessment:

- Where the learner has suffered, is suffering, or is likely to suffer significant harm, there should be an immediate referral under SET safeguarding procedures.
- Where the young person or vulnerable adult has alleged that a criminal offence has been committed, then again this will be referred under SET safeguarding procedures and the police may carry out a criminal investigation.
- The allegation may represent inappropriate behaviour or poor practice by a member of staff (which does not fall within the above categories) that needs to be considered under local disciplinary procedures.
- That the allegation is apparently without foundation.

There are three possible types of investigation:

- enquiries by social services under SET safeguarding procedures
- related police investigations into possible criminal offences



- VTS's disciplinary procedures.

Any disciplinary process should be clearly separated from safeguarding enquiries and criminal investigations. Whilst the disciplinary process may be informed by safeguarding enquiries and criminal investigations, and in some circumstances the safeguarding agencies might decide to make a recommendation about suspension or other protective action as a result of the strategy discussion, the safeguarding and criminal processes have different objectives from the disciplinary procedure and they should not be confused. Decisions as to suspensions and/or disciplinary action are for the DSL.

Any investigation by the police or safeguarding agencies will take priority over an internal disciplinary investigation by VTS. An internal investigation related to the same or similar allegations running alongside a criminal investigation or safeguarding enquiry is not likely to be good practice and should be held in abeyance pending the completion of the external enquiries and investigation. In any event, the decision as to whether to initiate an internal investigation will be more fully informed by information about the outcome of the safeguarding enquiries and any criminal investigation.

If further information comes to light during the course of investigations, then a further referral to the safeguarding agencies may again need to be considered.

Where the circumstances show allegations made do not require referral the SDM will:-

- take account of the fact that if a young person or vulnerable adult has made an obviously false allegation of abuse, this may well be strong indicator of problems of abuse elsewhere which require further exploration. The best way for this to be achieved is through an inter-agency referral in order that any underlying causes can be teased out;
- inform the member of staff verbally and in writing of the allegation and the fact that no further action is to be taken under disciplinary or safeguarding procedures. The member of staff may be accompanied by a trade union representative or friend;
- consider whether counselling and/or informal professional advice to the member of staff is appropriate and the form either might take;
- inform the parents of the young person or vulnerable adult of the allegation and the outcome in writing;
- consider appropriate counselling and support for the young person or vulnerable adult who made the allegation/s and, where appropriate, their parents; in particular, consider what follow up action should be taken in regard to the person who has made an allegation that is shown to be false or unfounded, specially if it is shown to have been made maliciously;
- where the allegation has been made by a person other than the alleged victim themselves, consideration should be given to informing the parents and young person or vulnerable adult of the fact of the unfounded allegation and providing support as necessary; and
- prepare a report, embodying the above and giving reasons for the conclusion that the allegation is without foundation.



Considering whether suspension is appropriate

Decisions on suspensions are taken by managing director.

Staff against whom an allegation is made should not automatically be suspended. In the case of an immediate referral to the safeguarding agencies immediate suspension is more likely to be appropriate. In the case where immediate referral is accompanied by consideration of disciplinary procedures, suspension may or may not be appropriate. In the case of unfounded allegations, suspension is unlikely. The managing director should consult with Social Care Services and the Chamber of Commerce and consider any recommendation which may be made by the safeguarding agency as a result of the strategy discussion before a decision to suspend is taken.

Suspension may be considered at any stage of an investigation. Suspension is a neutral act, not a disciplinary sanction, and will be on full pay. Paid leave of absence, mutual agreement to refrain from work, alternative duties/locations or removal from contact with learners may also be used as an alternative to suspension.

Suspension should not be undertaken without good reason. Circumstances in which suspension properly occurs include:-

- where a young person or vulnerable adult is at risk;
- where the allegations are so serious that dismissal for gross misconduct is possible;
- where a suspension is necessary to allow the conduct of the investigation to proceed unimpeded.

In all cases where suspension is being considered, the managing director will advise the individual to seek assistance from their trade union or ACAS.

An interview to consider suspension of a member of staff

Where suspension is being considered, an interview should be arranged. The Managing Director should consult with and seek advice from Social Care Services and the Chamber of Commerce.

Where the police are involved in a criminal investigation, any interview arranged, where suspension is considered, should not be conducted without prior consultation with the officer in charge of the case. Where there is no police involvement, an interview should be arranged in accordance with the following procedures.

When called to an interview where suspension is a possible outcome the member of staff should be advised to seek the advice and assistance of his or her trade union or ACAS. A person who is not a member of a trade union may be assisted by a friend. He/she, where accompanied, should be offered the opportunity of a brief meeting with the representative or friend before the interview.



The member of staff should be informed at the outset of the interview that an allegation has been made and that, at the conclusion of the interview, suspension might occur. It should be made clear, however, that the interview is not a formal disciplinary hearing but is for the purpose of raising a serious matter which may lead to suspension and further investigation.

The member of staff should be given as much information, including reasons for any proposed suspension, as is consistent with not interfering with an investigation about the allegation. This meeting is not concerned with examination of the evidence but is an opportunity for the member of staff to make representations concerning any possible suspension. The member of staff should be given an opportunity to make such representations after the information has been given and the reasons for any proposed suspension made out. A brief adjournment should be offered to the member of staff prior to response.

If, as a result of the interview, it is considered by the managing director that suspension is necessary along with a full investigation of the allegation, the individual should be advised that he or she is suspended from duty. Written confirmation of the suspension should be dispatched within one working day, giving reasons for the suspension.

After a decision to suspend pending investigation

The learner or parent making the allegation should be confidentially informed of the suspension. Where the learner is under 18, his or her parents should normally be informed, in confidence in so far as to do so is consistent with wider safeguarding considerations.

Senior managers who need to know of the reason for the suspension should be informed so far as is necessary in the particular circumstances. The managing director should take a decision on informing other staff colleagues of the suspension.

The managing director decide the extent to which it is necessary to make a statement to parents of young people or vulnerable adults at VTS, having considered the need to avoid unwelcome publicity.

In certain circumstances, it may be necessary for the managing director to provide immediate reassurance to parents and young people and vulnerable adults and there may be a need for information to continue to be provided during the course of an investigation.

The managing director should consider carefully, and keep under review, decisions as to who is informed of the suspension and investigation and to what extent confidentiality can or should be maintained, according to the circumstances of a particular case. In a situation where a matter becomes common knowledge or the subject of general gossip, it may be desirable to provide an accurate statement for public information. Advice should be taken from Social Care Services and the Chamber of Commerce on this matter as necessary.



Support for staff during the period of suspension

The suspended member of staff should be given the opportunity to contact the managing director to provide information as to the progress of the investigation. Social contact with colleagues and friends at VTS should not be precluded except where it is likely to be prejudicial to safeguarding enquiries, criminal investigations or disciplinary processes.

Although it is the aim that all investigations should be conducted as speedily as possible consistent with establishing the full facts, arrangements should be made for the individual, or his or her representative, to be contacted regularly with information on progress and developments on the case. These arrangements should not preclude him/her, or his or her representative, contacting those conducting the investigation at any time.

According to the needs and wishes of the member of staff to be kept informed, a colleague contact should also be in a position to provide information about developments at VTS in general.

In some cases, it may be appropriate to ask whether welfare counselling would be helpful, or to respond to a request for such further support.

Support for others concerned

Support will be needed for the young person or vulnerable adult making the allegations and their parents. Consideration should be given to the form such support should take. Consideration should also be given to what support may be needed for others at the school, both staff and pupils, according to the circumstances of the alleged abuse. In some cases, therapeutic counselling from expert sources may be necessary. Advice on this can be obtained via Social Care Services.

Where no action is taken to suspend

The managing director should explain the circumstances which led to consideration of suspension and further explain any follow-up action which it is proposed to take. The member of staff may be accompanied by a trade union representative or friend. According to the circumstances of the case, appropriate assistance or advice may be offered. The managing director should seek to establish what support, if any, is required and, where appropriate and acceptable to the member of staff should seek advice from Social Care Services and the Chamber of Commerce. According to circumstances, appropriate counselling services should be considered.

If a member of staff has not been suspended but there are concerns about aspects of his/her conduct, a full investigation should be undertaken before making a decision about further action under disciplinary procedures.



Outcome of disciplinary investigation

At the end of the investigation, a meeting should be arranged to inform the member of staff of the next steps. He/she may be accompanied or represented by a trade union representative or friend.

If the outcome is a disciplinary charge, further action will be in accordance with the VTS disciplinary procedures and will happen after safeguarding enquiries.

If the individual has been suspended and it is later decided not to proceed with any form of disciplinary action or to dismiss, the suspension should be lifted immediately. The managing director should meet the member of staff to discuss the arrangements for their return to work.

Other than in the event of dismissal, VTS will provide the opportunity for informal counselling. This could be used to give appropriate guidance, support and reassurance and help, where necessary, to rebuild confidence.

On the conclusion of any investigation and any related disciplinary proceedings, the young person or vulnerable adult who made the allegations and their parents should be informed of the outcome of the proceedings. This should be prior to the person's return to VTS if he or she has been suspended. In some circumstances, consideration should be given to the broader disclosure of details of the outcome, together with reasons, for example, where the issues are of general importance, have become common knowledge or have been the subject of general gossip and there is a need to provide accurate details for public information.

Appropriate counselling and support should be offered to the young person or vulnerable adult who made the allegations and, where appropriate, their parents, by the time the member of staff returns to school. In particular, this should take into account a young person or vulnerable adult's particular needs where a false or malicious allegation has been made.

Records

Documents relating to an investigation must be retained, in a secure place by VTS, together with a written record of the outcome of the investigation and, where disciplinary action has been taken, retained on the member of staff's personal and confidential file in accordance with the VTS disciplinary procedures.

Where a learner has made an allegation, a copy of the statement or the record made of it should be kept on the section of a learner's personal file which is not open to disclosure, together with a written record of the outcome of the investigation. If there are related criminal or civil proceedings, records may be subject to disclosure

ANTI RADICALISATION AND EXTREMISM PROCEDURE

Introduction

This Procedure is part of VTS's Safeguarding Policy. This Procedure is here to support staff and learners to identify those at risk of radicalisation and extremism, and the support that can be offered.

There is no stereotype for people who hold extremist views. Vulnerability, isolation and personal grievances added to strong political, religious or social views, can result in a person searching for a cause. People can become vulnerable for many reasons including:

- Low self-esteem
- Guilt
- Loss
- Isolation
- Family breakdown
- Fear
- Lack of Purpose
- Anger
- Peer Pressure

We are by no means suggesting that one or all of these characteristics or circumstances will drive someone to terrorism. But they often lead to a sense of injustice – be that on a personal or more far reaching scale. The vulnerabilities or susceptibilities are then exploited towards crime or terrorism by people who have their own agenda.

VTS's Procedure

VTS has developed internal support mechanisms and referral procedure. This procedure outlines who staff and students should contact with any concerns about fellow staff or students. VTS has also developed links with South Essex College, who can provide training and support in this area. If, once internal processes are completed, it is considered that additional external support or referral is required, this can be arranged via the Safeguarding Office or Managing Director.

Definition of Radicalisation.

The Institute of Strategic Dialogue defines radicalisation as “the process through which an individual changes from passiveness or activism to become more revolutionary, militant or extremist, especially where there here is an intent towards, or support for, violence”. Driving factors behind radicalisation can include:

- Lack of integration and/or polarisation
- Identity crises and/or isolation
- Political and/or democratic disenfranchisement



- Discrimination
- Foreign Policy and/or international crises or disputes
- Political movements
- Ideologies and/or faiths

Who are we safeguarding?

There is no typical gender, age, religion or background that extremists will target but they use a sense of “duty” (belonging to a specific group) “Status” (need for reputation) and “Spiritual Rewards” (test of faith) as a way of drawing them in.

This raises the question of what will those signs of radicalisation look like? They will look a lot like troubling behaviour:

Emotional: angry, mood swings, new found arrogance

Verbal: expressing opinions at odds with generally shared values

Physical: appearance (tattoos, change in routine)

What to do if you believe someone to be at risk of radicalisation

VTS adopts the ethos of “Notice, Check, Share”, where there are concerns that an individual may be vulnerable.

Notice: Recognition of any changes in behaviour or appearance similar to those outlined above

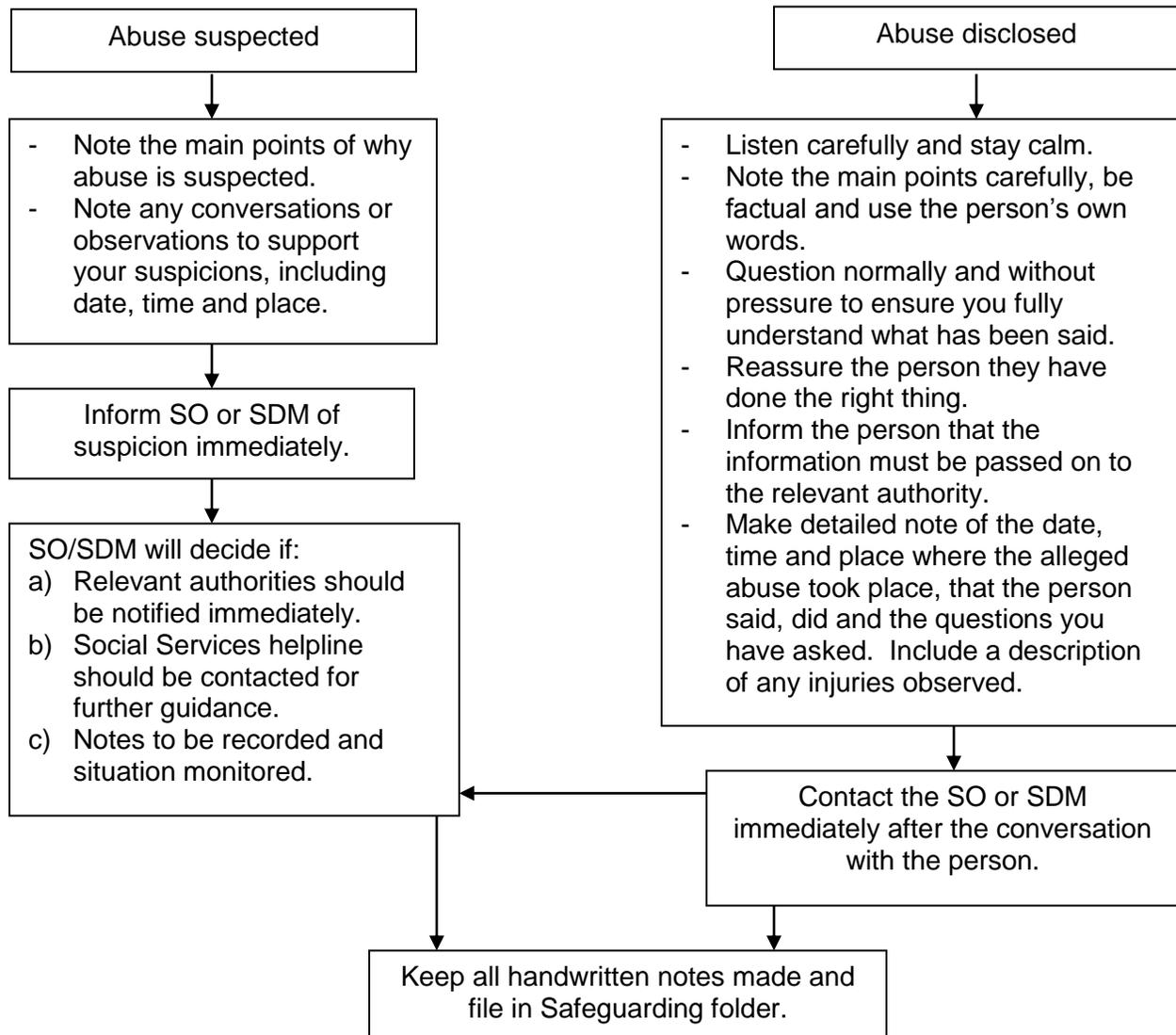
Check: Speak with someone you trust, like a tutor, to see what they recommend but trust your instinct if you are still concerned.

Share: Speak to one of the named contacts to report your concerns. Remember to trust your instinct.

Any of the following people are responsible for making decisions to contact the Counter-Terrorism Team at Essex Police if serious concerns are raised about a student, member of staff or a person who is not a member of VTS, eg a visiting speaker:

- Designated Safeguarding Lead
- Safeguarding Officer
- Financial Director
- Managing Director

SAFEGUARDING YOUNG PEOPLE & VULNERABLE ADULTS FLOW CHART





‘BY ASSOCIATION’ LEGISLATION

In 2014, Keeping Children Safe in Education included legislation - ‘By Association’. It concerns how staff can be disqualified by association with others and explains the effect of the Childcare (Disqualification) Regulations 2009.

It states that where schools or nurseries use staff from any agency, or third-party organisation, to work in relevant childcare, or contract out such childcare, they must obtain confirmation that the agency or organisation providing the staff has informed staff that they will be committing an offence if they are deployed to work in relevant childcare, or are directly concerned in the management of such provision, if they are disqualified under the Regulations. This should include the provider requesting that their staff inform them if they consider that they could be disqualified under the legislation.

Schools and nurseries may not allow people to work in these settings if they or others in their households are “disqualified”.

The grounds for disqualification are not only that a person is barred from working with children (included on the children’s barred list) but also include, in summary, that:

- They have been cautioned for, convicted of or charged with certain violent and sexual criminal offences against children and adults, at home or abroad
- Other orders have been made against them relating to their care of children
- They have had their registration cancelled in relation to childcare or children’s homes or have been disqualified from private fostering
- They are living in the same household where another person who is disqualified lives.

Disqualification occurs as soon as the above criteria are met, for example, as soon as a caution or conviction occurs, even before the person is formally included on the children’s barred list.

However, there are two points to bear in mind:

The person is not guilty of an offence if they do not know a person they are living with is disqualified for example if your staff member lives in shared housing. If the member of staff lives in shared housing and does not have any knowledge about the people they live with, including whether those people are disqualified, neither your member of staff nor the school has any legal requirement to seek this type of information.

The law is clear that this issue centres on ‘knowingly employing’ an individual who is disqualified. Schools who regularly ask staff to confirm there are no changes in



their circumstances and act on information received with regards to a staff member's suitability can be seen to be taking reasonable and appropriate steps to ensure they do not knowingly employ someone who is disqualified.

The action VTS is required to make is to identify people caught by the "by association" rule, which requires that we ask existing employees working in the early and later years provision and those who are directly concerned in the management of such provision to provide the relevant information about themselves or a person who lives or works in the same household as them.

It is recommended that this is done by way of self declaration. In future we will be asking for this information as part of the pre-employment checks we undertake on appointing new staff.

Staff caught by the 'by association' rule may be able to apply to Ofsted for a waiver of disqualification but such staff may not be used unless and until such waiver.