



Choices Academy

Safeguarding Policy and Procedures



Version	Purpose/change	Author	Date	Review date:
1	V1 approved	Sarah Howe	26/11/2023	26/11/2024

Foreword

Choices Academy has a statutory and moral duty to ensure that we function with a view to safeguarding and promoting the welfare of adults at risk.

The Academy has a zero tolerance of abuse of any kind or other harmful behaviour affecting learners/supported people or staff.

- All learners/supported people regardless of age, disability, gender, racial heritage, religious belief, sexual orientation, or identity, have the right to equal protection from all types of harm and abuse
- The Management, all staff, including volunteers and agency staff working for Academy are responsible for the safety and welfare of adults at risk by following the procedures set out in this policy.
- All staff have a duty to maintain the highest standards of professional behaviour and confidentiality when dealing adults at risk and personal and sensitive issues relating to these groups.
- All staff have a duty to identify and support people who may be vulnerable to being drawn into violent extremist activity (Preventing Violent Extremism/ Prevent strategy).



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- The Academy takes very seriously its responsibility to practice Safer Recruitment Procedures to protect learners/supported people and staff.
- All staff have a duty to be alert to any suspicions, nagging doubts or allegations raised about the safety and welfare of children or adults at risk and to refer to or seek advice from the Designated Persons for Safeguarding.
- At Choices Academy we recognise that learners with special educational needs and disabilities (SEND) and adults at risk can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group of people.
- Designated Persons will share information about concerns or allegations with statutory agencies, involving learners/supported people and parents/ carers appropriately.
- All staff have a duty to raise concerns about the actions of other employees, employees of the Academy and Partners, this is included in our whistleblowing policy. This safeguarding policy should be read in conjunction with that policy.
- The Academy takes historic safeguarding concerns, allegations, and disclosures seriously. If an individual discloses historic abuse, such as past sexual abuse whilst in a school or college, the individual will be supported to make an independent, informed decision about what steps they would like to take, such as making a report to the police.



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1. INTRODUCTION

Choices Academy is committed to ensuring that we:

- Provide a safe environment for adults at risk to learn, train or receive health and wellbeing or employment support
- Identifies adults at risk who are suffering, or likely to suffer, significant harm and
- Takes appropriate action to see that such adults at risk are kept safe at the Academy and in Academy venues.

In pursuit of these aims, management will approve and annually review policies and procedures with the aim of:

- Raising awareness of issues relating to the welfare of adults at risk and the promotion of a safe environment for them
- Aiding the identification of adults at risk at risk of significant harm, and providing procedures for reporting concerns
- Establishing procedures for reporting and dealing with allegations of abuse against members of staff
- The safe recruitment of staff

In developing the policies and procedures, the management will consult with, and take account of, guidance issued by the Department for Education (DfE) and other relevant bodies and groups.

This will include compliance with the Care Act (2014), the statutory guidance “Working together to safeguard Children (updated September 2018) and the “Prevent duty guidance for England and Wales” to comply with the Counter Terrorism and Security Act 2015.

Staff leading on Adult at risk Protection within the Academy and staff working with adults at risk will receive adequate training to familiarise them with adult at risk protection issues and responsibilities and the Academy’s procedures and policies.

All staff will receive appropriate training, updated as needed but as a minimum every two years. This will be tracked by the Designated Safeguarding Lead to ensure the right training is happening at the right time.



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2. Key contacts, responsibilities, and governance

Name	Role	Email	Date
Jameel Ahmed	Director	jay@choicesacademy.co.uk	21/11/2023
Sarah Howe	Designated Safeguarding Lead/Prevent	sarah@choicesacademy.co.uk	21/11/2023
Alison Morgan	Deputy Safeguarding/Prevent	a.morgan@chociesacademy.co.uk	21/11/2023

2. RESPONSIBILITIES

2.1 The Designated Safeguarding Lead responsibilities:

2.1.1 Manage referrals

- refer cases of suspected abuse to the local authority children's and adults social care, Multi Agency Safeguarding Hub (MASH) and police as required.
- support staff who make referrals to local authority children's and adults social care, MASH, and police.
- refer cases to the Channel programme where there is a radicalisation concern as required.
- support staff who make referrals to the Channel programme.
- refer cases where a person is dismissed or left due to risk/harm to a child or adult at risk to the Disclosure and Barring Service as required; and
- refer cases where a crime may have been committed to the Police as required.

2.1.2 Work with others

The designated safeguarding lead is expected to:

- act as a point of contact with the three safeguarding partners.
- liaise with the principal to inform him or her of issues- especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations.
- as required, liaise with the "case manager" (as per Part four) and the designated officer(s) at the local authority for child concerns in cases which concern a staff member.
- liaise with staff (especially pastoral support staff, IT Technicians, and SENCOs or the named person with oversight for SEN) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies; and
- act as a source of support, advice, and expertise for all staff.



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2.1.3 Training

The designated safeguarding lead (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. This training should be updated at least every two years. The designated safeguarding lead should undertake Prevent awareness training. In addition to the formal training set out above, their knowledge and skills should be refreshed (this might be via ebulletins, meeting other designated people, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, and at least annually, to allow them to understand and keep up with any developments relevant to their role so they:

- have a working knowledge of how local authorities conduct an adult protection case conference and an adult protection review conference and be able to attend and contribute to these effectively when required to do so.
- ensure each member of staff has access to, and understands, the academy's child protection and safeguarding policy and procedures, especially new and part time staff.
- are alert to the specific needs of adults at risk, those with special educational needs and young carers.
- understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the General Data Protection Regulation.
- understand the importance of information sharing, both within the Academy, and with the three safeguarding partners, other agencies, organisations, and practitioners.
- can keep detailed, accurate, secure written records of concerns and referrals.
- understand and support the academy with regards to the requirements of the Prevent duty and can provide advice and support to staff on protecting adults at risk from the risk of radicalisation.
- can understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep adults at risk safe whilst they are online at the academy.
- can recognise the additional risks that adults with SEN and disabilities (SEND) at risk face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND adults at risk to stay safe online.
- obtain access to resources and attend any relevant or refresher training courses; and
- encourage a culture of listening to adults at risk and taking account of their wishes and feelings, among all staff, in any measures the academy may put in place to protect them.

2.1.4 Raise Awareness

The designated safeguarding lead should:

- ensure the academy's safeguarding policies are known, understood, and used appropriately. ensure the academy's safeguarding policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly
- ensure the safeguarding policy is available publicly.



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2.1.5 Availability

During term time the designated safeguarding lead (or a deputy) should always be available (during opening hours) for staff to discuss any safeguarding concerns. Available may mean via phone and/or Teams or other such media. The DSL or a deputy will be available in person or via phone out of hours and out of term.

2.1.6 Communication

Ensure Academy staff receive timely information to maintain safeguarding awareness, vigilance, and action.

2.1.7 Policies and Procedures

Ensure there are appropriate policies and procedures in place for appropriate action to be taken in a timely manner to safeguard and promote children's and adult at risk welfare.

2.1.8 Audits

Quality assures safeguarding arrangements within the academy through a range of self-assessment tools and internal audits including actual concerns raised, training database and the single central record.

- Overseeing Safeguarding processes and procedures, incidents, concerns, and the referral of cases of suspected abuse or allegations to the relevant investigating agencies as agreed with safeguarding boards.
- Ensuring that staff receive basic training in child and adult at risk protection issues and are aware of the adult at risk protection procedures
- Receiving regular receiving a refresher at least every 2 years
- Providing an annual report in March to the Director of the Academy setting out how the Academy has discharged its duties.

Liaise with the three safeguarding partners (Local Authority, clinical commissioning group and police) as appropriate and work with other agencies.

2.1.9 Ensure every member of staff knows:

- the name of the designated safeguarding leads/deputies and their role.
- how to identify the signs of abuse and neglect.
- that people may not feel ready or know how to tell someone that they are being abused, exploited, or neglected and/or they may not recognise their experiences as harmful
- how to pass on and record concerns about a learner.
- that they have an individual responsibility to be alert to the signs and indicators of abuse
- what is meant by, and the importance of, showing professional curiosity
- that they have a responsibility to provide a safe environment in which adults can learn.



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- the process for making referrals to adult's social care.

Ensure all staff members undergo safeguarding training at induction. Ensure that staff training is regularly updated and that in addition to this training all staff members receive regular safeguarding and child protection updates as required but at least annually.

Ensure that all staff, paid and unpaid, recognise their duty and feel able to raise concerns about poor or unsafe practice and that such concerns are addressed sensitively and effectively in a timely manner in accordance with agreed whistle-blowing policies.

Promote educational outcomes by sharing information about the welfare, safeguarding, and issues that learners are experiencing/have experienced with tutor and academy leadership staff.

Ensure an annual report is made.

Ensure people's wishes and feelings are considered where there are safeguarding concerns.

3. SAFER RECRUITMENT POLICY

The Academy is committed to the safer recruitment of staff, volunteers, and contractors/agency staff.

3.1 The job vacancy advertisement must make it clear that we are committed to safeguarding and promoting good practice in equality and diversity.

3.2 A face-to-face interview must be held. The recruitment panel must:

- Include at least two interviewing panel members or which at least one must have taken safer recruitment training within the last three years.
- Explore gaps in work history and inconsistencies must be challenged ensuring all panel members are satisfied that the explanations provided are robust and can be verified
- Include a minimum of three specific safeguarding questions of which one must cover Prevent

3.3 Appropriate checks are completed before the selected staff member commences employment:

- an identity checks.

Identification checking guidelines can be found on the GOV.UK website.

- A Basic/Standard/Enhanced DBS Check
- further checks on people who have lived or worked outside the UK; this would include recording checks for those European Economic Area (EEA) teacher sanctions and restrictions
- a check of professional qualifications, where required
- a check to establish the person's right to work in the United Kingdom
- At least two references are taken up and checked. References should always be obtained from the candidate's current employer. Where a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving should be obtained from the school, college, local authority, or organisation at which they were employed.



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3.4 The Academy will maintain a Single Central Record for all staff. The single central record must indicate whether the following checks have been conducted or certificates obtained, and the date on which each check was completed/certificate obtained. A record of the name of the person conducting the check will also be recorded.

For agency and third party supply staff, the academy will also include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the member of staff.

3.5 The academy will obtain written notification from any agency or third-party organisation that the organisation has conducted the checks in respect of the enhanced DBS certificate and all other verification checks on an individual who will be working at the academy.

3.6 All volunteers must be interviewed by a manager and must be asked a minimum of three safeguarding and Prevent questions. The interview must probe the motivation of the individual to volunteer and explore any gaps in work history/inconsistencies of information provided to the same level as if the interviewee is applying for a paid position.

Under no circumstances should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity. Volunteers who, on an unsupervised basis teach or support adults at risk regularly, or provide personal care on a one-off basis, will be in regulated activity. A DBS must be obtained at enhanced level for all volunteers who are new to working in regulated activity and re-checked at least every three years.

4. MAKING SAFEGUARDING PERSONAL

4.1 The underpinning philosophy for safeguarding under the Care Act is provided by “Making Safeguarding Personal.” Making safeguarding personal means it should be person-led and outcome-focused.

4.2 Making safeguarding personal requires engagement with people throughout the safeguarding episode and consulting with them about the outcomes to achieve. The extent to which the person felt those outcomes were realised should be ascertained at the end.

4.3 To ensure safeguarding is personal it is necessary to ensure that people have an opportunity to discuss the outcomes they want at the start of safeguarding, and to ascertain at the consultation to what extent the desired outcomes have been met.

4.4 The strengths of the person in dealing with the abuse or neglect should be recognised.

4.5 Guide 2014 Local Government Association & Association of Directors of Adult Social Services 28 Outcomes will be recorded to inform practice and provide aggregated outcomes information for CPFT and for the Safeguarding Adults Boards

5. ROLES AND REPSOBILITIES OF ALL AGENCIES



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The Care Act 2014 states that local authorities must cooperate with each of their relevant partners, as described in section 6(7) of the Care Act, and those partners must also cooperate with the local authority, in the exercise of their functions relevant to care and support including those to protect adults.

5.1 Choices Academy will work to the following principles:

5.1.1 • Ensure people accessing services, visitors and relatives receive information about how to raise concerns if they suspect or experience abuse in all its forms including neglect

5.1.2 • Empower individuals with knowledge and understanding so that they will be aware of what is appropriate or inappropriate behaviour towards them

5.1.3 • Raise awareness amongst people with care and support needs, who may cause harm, of what constitutes abuse and why

5.1.4 • Provide the support that may be necessary to ensure adequate levels of understanding, and adequate skills to ensure that rights and responsibilities are recognised and asserted

5.1.5 • Enable staff and volunteers to recognise poor practice, or abuse and respond appropriately

5.1.6 • Raise awareness of how staff and volunteers can use their routine processes (e.g., single assessment, risk assessments, care planning, and triage) to enable people to acknowledge that they are at risk of abuse, and signpost them to effective support

5.1.7 • Raise the profile of adult safeguarding in all relevant internal and inter-agency meetings

5.1.8 • Promote relevant advocacy and advisory services

5.1.9 • Ensure that when commissioning, contracting, or monitoring services that service providers are aware of, and adhere to the multi-agency procedures

5.1.10 • Recognise that children may also be at risk when working with families and adults with care and support needs. Referrals must be made to relevant children and families departments where appropriate.

6. PREVENTION

6.1 Choices Academy will provide:

6.1.1 Information for people with care and support needs and their carers, in a range of media in different, user-friendly formats. This should be easily accessible.

6.1.2 Promote adult protection within their agencies and ensure these are considered for inclusion in all appropriate strategies and policies.

6.1.3 Ensure rigorous recruitment and selection practice and adhere to pre-appointment checking requirements e.g., references will always be taken up, DBS checks.

6.1.4 Ensure clear service standards are maintained and where relevant staff and volunteers should receive clear operational guidance and appropriate training in such areas as:

- Serious Incidents



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- Accidents
- Health and Safety
- Managing challenging behaviour
- Providing Personal and intimate care
- Same gender personal care
- Physical interventions
- Moving and handling
- Tissue viability, falls prevention and hydration
- Risk assessment and management
- Control and administration of medicines
- Involvement with the property and finances of people accessing services
- Approaches to sexuality
- Personal and professional boundaries
- Standards of care for excellence
- Managing or supporting finances
- Managing visitors
- Chaperoning

7. PROCEDURES

7.1.1 All complaints, disclosures, allegations or suspicions of abuse or any significant concerns about an adult at risk will be taken seriously and staff will report to a Designated Person as soon as possible or within 24 hours.

7.1.2 If the Designated Person is not available, staff should report to management.

7.1.3 In emergency situations, immediate medical attention will be provided. If a crime may have been committed, the concern, suspicion or allegation will be reported to the Police.

8. PREVENT

8.1 Prevent is part of a government initiative to develop a robust counter-terrorism programme – the Academy has a Prevent Strategy. All staff are trained and provided with regular updates.

9. MENTAL CAPACITY ACT

9.1 The Mental Capacity Act (MCA) 2005 came into force during 2007. The MCA is designed to protect and restore power to those vulnerable people who lack capacity. The MCA also supports



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those, over the age of eighteen, who have capacity and choose to plan for their future. At the heart of the MCA in terms of concepts and values are the five 'statutory principles. Consider the five principles as the benchmark. They should be used to underpin all acts done and decisions taken in relation to those who lack capacity.

- Principle 1: A presumption of capacity. Every adult has the right to make their own decisions and must be assumed to have capacity to do so unless it is proved otherwise. Do not assume that someone cannot decide for themselves just because they have a particular medical condition or disability.
- Principle 2: Individuals being supported to make their own decisions. Make every effort to encourage and support people to make the decision for themselves. If lack of capacity is established, it is still important to involve the person as far as possible in making decisions.
- Principle 3: Unwise decisions. People have the right to make what others might regard as an unwise or eccentric decision.
- Principle 4: Best interests. If a person has been assessed as lacking capacity, then any action taken, or any decision made for, or on behalf of that person, must be made in his or her best interests.
- Principle 5: Less restrictive option. Someone deciding or acting on behalf of a person who lacks capacity must consider whether it is possible to decide or act in a way that would interfere less with the person's rights and freedoms of action, or whether there is a need to decide or act at all.

10. ADULTS AT RISK AND CONSENT

10.1 In the context of adult safeguarding, consent to share safeguarding information, e.g., make a referral, with agencies such as MASH or the Police should be gained from the individual. There may be circumstances where consent cannot be obtained because the adult at risk lacks the capacity to give it or is subject to coercion or undue influence.

There are occasions when a safeguarding concern may need to be raised without the person's consent, for example:

- it is in the public interest,
- there is a risk to other 'adults at risk,' or children, (note that a risk to other "adults at risk" may include financial scams or other forms of exploitation) or
- the concern is about organisational abuse, or
- the concern or allegation of abuse relates to the conduct of an employee or volunteer within an organisation providing services to adults at risk (college/ or another provider)
- the adult at risk lacks capacity to make the specific decision to consent to share information and a decision is made to raise a safeguarding concern in the person's "Best Interests" (Mental Capacity Act 2005)
- the adult at risk is subject to coercion or undue influence, to the extent that they are unable to give consent



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- it is in the adult at risk's vital interests (to prevent serious harm or distress or life-threatening situations)

The DSL or deputy will seek advice from MASH if it is unclear whether a formal concern should be raised where consent has not been obtained.

Where consent to make a safeguarding referral has been gained it must be explained to the adult at risk what giving their consent means and what will happen next and that they understand what has been said.

If a safeguarding concern is raised without the adult at risk's consent it should still be explained to them that a safeguarding referral is being made and the reasons why. The only exception to this would be that if by telling them about the safeguarding referral this puts them at further risk.

10.2 If none of the above apply and the decision is not to share safeguarding information with other safeguarding partners, or not to intervene to safeguard the person:

- support the person to weigh up the risks and benefits of different options
- ensure they are aware of the level of risk and outcomes
- offer to arrange for them to have an advocate or peer supporter
- offer support for them to build confidence and self-esteem if necessary
- agree on and record the level of risk the person is taking
- record the reasons for not intervening or sharing information
- regularly review the situation
- try to build trust and use gentle persuasion to enable the person to better protect themselves.

11. MULTI-AGENCY RISK MANAGEMENT (MARM)

11.1 Where an adult at risk refuses help and services and is believed to be self-neglecting which therefore puts them at a high level of risk the MARM policy and procedures must be referred to.

11.2 Staff should report a concern to DSL.

11.3 Serious self-neglect is a complex issue which usually encompasses a complex interplay between mental, physical, social, and environmental factors. It frequently covers inter-related issues such as drug and alcohol misuse, homelessness, street working, mental health issues, criminality, anti-social behaviour, inability to access benefits and / or other health related issues.

11.4 An adult may be at risk of serious harm where they are:

- Either unable, or unwilling to provide adequate care for themselves
- Not engaging with a network of support • Unable to or unwilling to obtain necessary care to meet their needs
- Unable to make reasonable, informed or mentally capacitated decisions due to mental disorder (including hoarding behaviours), illness or acquired brain injury



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- Unable to protect themselves adequately against potential exploitation or abuse
- Refusing essential support without which their health and safety needs cannot be met and the individual lacks insight to recognise this.

The aim of this Policy and Procedures are to provide an agreed and structured process against which to consider a 'concern' of self-neglect.

They are aimed at preventing serious harm or even the death of individuals who is self-neglecting by ensuring that:

- Individuals are empowered as far as possible, to understand the implications of their actions
- There is a shared, multi-agency understanding and recognition of the issues involved in collaborating with individuals who self-neglect
- There is effective multi-agency working and practice
- Concerns receive appropriate prioritisation
- Agencies and organisations uphold their duty of care
- There is a proportionate response to the levels of risk to self and others

12. RESOLVING PROFESSIONAL DIFFERENCES

- 12.1 Effective working together depends on an open approach and honest relationships between agencies.
- 12.2 This could include (and is not limited to) care agencies, other education providers, health, or statutory provision.
- 12.3 Problem solving, and resolution is an integral part of professional co-operation and joint working to safeguarding children, young people, and adults at risk.
- 12.4 Transparency, openness, and a willingness to understand and respect individual and agency views are a core aspect of multi-agency working.
- 12.5 However, there may be occasions where individuals and/or agencies working with children, adults at risk and families/carers disagree on how best to keep young people and adults at risk safe and promote their welfare.
- 12.6 Disagreements can arise in several areas, but are most likely to arise around:
- Perceived levels of risk
 - Levels of need and whether a young learner/adult has met the threshold for a service or intervention
 - Roles and responsibilities
 - Level of quality of communication/information sharing
 - Provision of services



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- Action or lack of action progressing plans
- Cases being/not being stepped up or down and/or closed

The Academy will respectfully challenge whenever it has a concern about the action or inaction of another professional or agency. Our aim is to resolve a professional disagreement at the earliest possible stage, always keeping in mind that the young learners or adult at risk safety and welfare is paramount. If a young learner or adult at risk is thought to be at immediate risk of harm, the Police or a designated safeguarding lead should be informed immediately. Any employee who feels that a decision is not safe, or is inappropriate, should initially speak to their line manager. A record should be made confirming the nature and source of the concerns.

If the concern is in relation to a decision, action or inaction of an Academy employee, volunteer, or manager, it should be raised immediately with the line manager and/or the whistleblowing policy should be followed.

Stages of Resolution

Stage One: Discussion between workers.

A staff member who disagrees should have a discussion to try to resolve the problem. This discussion must take place as soon as possible and could be a telephone conversation or a face-to-face meeting. If the staff member is not confident, then support should be sought from the line manager.

Stage Two: Discussion between Line Managers

If the problem is not resolved and concerns remain, the staff member should contact their line manager or Designated Person to consider the issue raised, what outcome they would like to achieve and how differences can be addressed. The line manager should contact their respective counterpart to try to negotiate an agreed way forward. This could involve a professionals meeting if deemed appropriate.

Stage Three: Discussion between Senior Managers If the issue is not resolved at stage two, the line manager should report the concern and actions taken to date to the Director who will review and decide.

Appendix A: WHISTLEBLOWING

Staff must acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant agencies. Although this can be difficult, this is particularly important where the welfare young people and vulnerable adults may be at risk.

Please refer to the Whistleblowing Policy.

STAFF GUIDANCE ON PROCEDURE FOR REPORTING AND DEALING WITH ALLEGATIONS OF ABUSE OR CONCERNS AGAINST MEMBERS OF STAFF, AGENCY WORKERS, AND VOLUNTEERS

These procedures apply to all staff (including agency staff, volunteers, and contractors).

The word LADO refers to a nominated (nominated by Children's Services) Local Authority Designated Officer, whose role is to attend all complex strategy meetings, be involved in the management and



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oversight of individual cases and monitor their progress, provide advice and guidance to the Academy and liaise with police and other agencies for Children and Young Learners under the age of 18 (or 25 where the learner has an Education Health and Care Plan (EHCP)).

This guidance refers to the procedures aligned to KCSiE (2022). The Academy will ensure that all staff and volunteers are aware of the need for maintaining appropriate and professional boundaries in their relationships with learners and carers as advised within the Local Authority's Code of Conduct: Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings (February 2022)'.

As part of the induction process, all staff, paid and unpaid, will receive guidance about how to create appropriate professional boundaries (in both the real and virtual world) especially those with a disability or who are vulnerable.

All staff are aware of their whistle blowing responsibilities and will promptly report any concerns in the interests of protecting adults and staff from poor practice and/or unsuitable behaviour.

This includes the requirement to self-disclose any personal issues which may impact on their suitability to work in an education setting.

The academy will ensure that staff and volunteers are aware that sexual relationships with learners aged under eighteen are unlawful and could result in legal proceedings taken against them under the Sexual Offences Act 2003 (Abuse of position of trust).

The college will ensure that communication between learners and adults, by whatever method, are transparent and take place within clear and explicit professional boundaries and are open to scrutiny.

Introduction

The aim of this procedure is to afford greater safeguarding to adults at risk about those working with them and to allow for allegations and concerns to be dealt with expeditiously, fairly and thoroughly and avoiding delays.

Compliance will help to ensure that allegations of abuse are dealt with consistently using a thorough and fair process. Initial Response to an Allegation or Concern Allegations against a member of staff, carer or volunteer may arise from several sources e.g., a report from an adult at risk, a concern raised by another adult in the College or a complaint by a carer.

Any allegation of abuse made against a member of staff or volunteer will be reported straight away to the Designated Lead.

In cases where the Designated Lead is the subject of an allegation, it will be reported to the Director.

Where the allegation involves a young person under 18 (or under twenty-five for learners with an Education Health and Care Plan) the academy will follow the procedures set out in Part four of 'Keeping Children Safe in Education (2022)'.

The member of staff who receives the allegation or concern should treat the matter seriously and keep an open mind.

They must:



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- Provide written details of the information and allegation, where possible using the child / adult's own words, including times, dates, locations and names of potential witnesses and sign and date the record.

The written details should be countersigned and dated by the Designated Person or Director.

They must not:

- investigate or ask leading questions if seeking clarification.
- promise confidentiality but give an assurance that information will be shared only on a "need to know" basis.

Make assumptions or offer alternative explanations.

Concerns and allegations in relation to children and learners under the age of eighteen the Designated Safeguarding Lead (DSL) and Director will consider whether the concern or allegation meets the harm threshold as set out in KCSiE (September 2022) Section Four.

Threshold will have been made where it is alleged that an individual has:

- behaved in a way that has harmed a child, or may have harmed a child and/or
- possibly committed a criminal offence against or related to a child, and or
- behaved towards a child or children in a way that indicate they may pose a risk of harm to children, and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children (including behaviour that may have happened outside of the academy, which might make an individual unsuitable to work with children – known as transferable risk).

Examples of concerns and allegation that do not meet threshold (also known as 'low-level' concerns could include:

- being over friendly with young people
- having favourites
- taking photographs of young learners on their mobile phone
- engaging with a young learner on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating learners Procedures for allegations that may meet the harms threshold (Part Four, Section One)

Any allegation of abuse made against a member of staff (including agency staff, volunteers, and contractors) that meets the harms threshold as set out in Keeping Children safe in Education, 2022, part 4, section one, will be reported straight away to the Director.

In cases where the Director is the subject of an allegation, the academy will follow the procedures set out in Part four of 'Keeping Children Safe in Education (2022)'. The college will consult with the Local Authority Designated Officer (LADO). Before contacting the LADO, the academy will conduct basic enquiries in line with local procedures to establish the facts to help them determine whether there is any foundation to the allegation, being careful not to jeopardise any future police investigation.



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Where the academy identifies a young person/adult has been harmed, that there may be an immediate risk of harm to a young person/adult or if the situation is an emergency, we will contact children's/adult social care and as appropriate the police immediately.

The academy will consider:

- Looking after the welfare of the young person/adult - the DSL, DDSL or DP is responsible for ensuring that the young person/adult is not at risk and referring cases of suspected abuse to the local authority children's social care.
- Investigating and supporting the person subject to the allegation - the case manager should discuss with the LADO, the nature, content, and context of the allegation, and agree a course of action.

The academy will ensure that any disciplinary proceedings against staff, agency staff or volunteers relating to child protection matters are concluded in full even when the member of staff, agency staff or volunteer is no longer employed at the college and that notification of any concerns is made to the relevant authorities and professional bodies and included in references where applicable.

Staff (including agency staff and volunteers) who are the subject of an allegation have the right to have their case dealt with fairly, quickly, and consistently and to be kept informed of its progress.

Suspension should not be an automatic response when an allegation is reported. However, in some cases, staff may be suspended where this is deemed to be the best way to ensure that learners are protected.

Procedures for concerns that do not meet the harms threshold (Part Four, Section Two) Low level concerns that do not meet the harms threshold should be reported to the DSL. NB: The term low level does not mean that it is insignificant, it means that the behaviour towards an adult does not meet the harms test.

In cases where the DSL is the subject of an allegation, it will be reported to the Director.

The academy will follow the procedures set out in Part Four of 'Keeping Children Safe in Education,' 2022.

The college will deal with any such concern, no matter how small, where an adult working in or on behalf of the college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

All low-level concerns will be recorded in writing.

The record will include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns will also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible. Records will be kept by the Director, and held confidentially, securely and in adherence to the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR) Procedures for concerns and allegations in relation to Adults at Risk.



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The academy will conduct basic enquiries in line with local procedures to establish the facts to help them determine whether there is any foundation to the allegation, being careful not to jeopardise any future police investigation.

Immediate consideration must be given on how to best safeguard the young person/adult at risk e.g., suspension or not working unsupervised.

The DSL will lead the investigation.

The enquiries could result in:

- A referral to the MASH team and/or
- A referral to the Police and/or
- An investigation under the academies disciplinary policies and procedures and/or
- A referral under Persons in a Position of Trust (PIPOT) Persons to be notified.

As soon as possible after an allegation is made or a concern of suitability is raised, the DSL should inform the carer(s) of the adult at risk(s) involved. For young people under 18 (25 if they have an EHCP) the LADO should be contacted first to ensure that this does not impede the disciplinary or investigative processes.

There may be some circumstances where the carer(s) need to be told straight away e.g., if an adult is injured and requires medical treatment. Carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002 (see paragraphs 206-207). If carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice. In cases where an adult may have suffered significant harm, or there may be a criminal prosecution, the police as appropriate, should consider what support the involved may need. The carer(s) and the adult at risk, if they have capacity, should be helped to understand the processes involved and need to be kept up to date about the progress of the case and of the outcome where there is no criminal prosecution.

The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed but the parents or carers of the child should be told the outcome in confidence Choices Academy has a duty of care to its employees and will act to manage and minimise the stress inherent in the allegations process.

Unless an objection is raised by social care or the police, the DSL will as soon as possible, inform the accused person about the nature of the investigation, how enquiries will be conducted and the possible outcome e.g., disciplinary action, and dismissal or referral to the barring lists or regulatory body.

In all cases the member of staff should:

- be treated fairly and honestly and helped to understand the concerns expressed and processes involved
- be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process



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- if suspended, be kept up to date about events in the workplace
- be informed of the outcome in writing within 7 days of the final strategy meeting
- receive information on independent support

In all cases the relevant regulatory body for the academy should be informed of the allegation and the outcome.

Confidentiality

Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated or considered.

Suspension

The need for suspension should be given consideration at the complex strategy meeting. Only the Director has the power to suspend an accused member of staff/carer/volunteer.

Staff or volunteers who are the subject of an allegation have the right to have their case dealt with fairly, quickly, and consistently and to be kept informed of its progress.

Suspension is not mandatory, nor is it automatic but, in some cases, staff may be suspended where this is deemed to be the best way to ensure that young people/adults at risk are protected.

Resignations and “Compromise Agreements” The fact that a person tenders their resignation, or ceases to provide their services, must not prevent an allegation being followed up in accordance with these procedures.

So called compromise agreements, by which a person agrees to resign, must not be used in these cases. In any event, such an agreement will not prevent a referral to the Independent Safeguarding Authority where there is a duty to do so and/or a thorough police investigation where that is appropriate.

Allegations against staff in their personal lives

Childrens: The general principles outlined in these procedures still apply if the concern or allegation arises about a member of staff outside their area of work.

Adults: The Academy will follow the correct procedures in relation to this process the person in a position of trust will have had an allegation raised that they may pose a risk to adults at risk because, in their life outside of their work environment, they are alleged to have: • behaved in a way that has harmed, or may have harmed an adult or child • possibly committed a criminal offence against, or related to, an adult or child • behaved towards an adult or child in a way that indicates they may pose a risk of harm to adults with care and support needs”.

Disciplinary processes

The Director/DSL should discuss whether disciplinary action is appropriate in all cases where:

- it is clear at the outset that a police investigation or Adults/Childrens Services enquiry is not necessary



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- the Director/DSL is informed by the police or Criminal Prosecution Service that a criminal investigation and subsequent trial is complete, or that an investigation is to be closed without charge, or prosecution discontinued

The discussion should consider any potential misconduct or gross misconduct on the part of the member of staff and consider:

- information provided by the police or Adults/Childrens Services
- the result of any investigation or trail
- the different standard of proof in disciplinary and criminal proceedings in the case of supply, contract and volunteer workers, normal disciplinary procedures may not apply.

The LADO and/or Director/DSL should act jointly with the providing agency, if any, in deciding whether to use the person's services, or provide future work with children/adults at risk, and if not, whether to make a report for consideration of barring or other action.

If at any stage, new information emerges that requires a child protection referral, the investigation should be held in abeyance and only resumed if agreed with Children's services and police.

Record keeping

The LADO will write a summary at the conclusion of the enquiry involving a young person under 18 (or twenty-five with an EHCP), the Director or DSL will write a summary for investigations involving adults.

The Director or DSL should keep a summary on the member of staff's confidential personnel file and give a copy to the individual.

The record should include details of how the allegation was followed up and resolved, the decisions reached, and action taken. It should be kept at least until the person reaches retirement age or for 10 years if longer.

Details of allegations following an investigation that are found to have been malicious or false should be removed from personnel records unless the individual gives their consent for retention of the information.

However, for all other allegations, i.e., substantiated, unfounded and unsubstantiated it is important that the following information is kept on the file of the person accused:

- a clear and comprehensive summary of the allegation
- details of how the allegation was followed up and resolved
- a note of any action taken, decisions reached, and the outcome i.e., substantiated, unfounded or unsubstantiated
- a copy provided to the person concerned, where agreed by local authority children's social care or the police, and
- a declaration on whether the information will be referred to in any future reference.



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The purpose of the record is to enable accurate information to be given in response to any future request reference.

It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period.

The academy has an obligation to preserve records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry (further information can be found on the IICSA website).

All other records should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

Referral to barring lists and bodies in cases where the allegation is substantiated, and individual is dismissed, or the person resigns, the Director/DSL (and LADO) will determine whether a referral should be made to the Independent Safeguarding Authority for inclusion on the relevant barring lists.

If a referral is to be made it should be submitted within 1 month.

Learning lessons

The Director/DSL (and LADO) should review the circumstances of the case to determine whether there are any improvements to be made to the Academy's procedures or practice. This meeting should take place within one month following the conclusion of the investigation.

Actions arising from the meeting will be monitored by the LADO until the actions are completed.

Appendix B: STAFF GUIDANCE ON DEALING WITH AND REPORTING DISCLOSURE AND CONCERNS OF ABUSE

Who do I report to?

All complaints, disclosures, allegations or suspicions of abuse or any significant concerns about a child or adult at risk must be taken seriously and reported and discussed with a Designated Person as soon as possible or within 24 hours.

If the Designated Person is not available, staff should report to the Director.

In emergency situations, seek any necessary medical attention.

If a crime may have been committed, the concern, suspicion or allegation should be reported to the Police.

Staff must record the following:

- Name of learner/supported person
- Date of birth (if unknown, enter 01/01/2000)
- Nature of concern • Location of concern
- Detail of concern including what immediate action has taken place



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This must be followed up with a phone call or immediate face to face discussion with a designated person.

Child Safeguarding reporting

If the complaint, disclosure, allegation, or suspicion involves a child or young person and if the DSL or Director is not available, staff have a personal responsibility to contact Childrens Social Care (and the Police and / or Ambulance Service as required).

Child Protection issues in relation to learners attending Academy provision should be referred to the lead on Child Protection in the learner's school/college.

Adult Safeguarding reporting

If the complaint, disclosure, allegation, or suspicion involves an adult at risk, and the Director/DSL is not available, staff have a personal responsibility to contact the relevant safeguarding team.

Situations

There may be three different types of situations staff will encounter:

A disclosure or allegation of abuse

If a child or adult at risk tells a member of staff about possible abuse:

- i. Ensure that the victim of the alleged abuse is safe.
- ii. Ensure that any necessary emergency medical treatment is arranged.
- iii. Ensure that no forensic evidence is disturbed, lost, or destroyed.

If it is felt that a crime has been or may be committed, the Police should be contacted.

- iv. Listen carefully and stay calm.
- v. Do not put words into the child's or adult at risk's mouth or ask leading or closed questions or judge or condemn the alleged abuser.
- vi. Note the main points carefully, including any key phrases used and record the date, time, place, what the child / adult at risk said, did and your questions etc.
- vii. Do not discuss the allegation of abuse with the alleged perpetrator.
- viii. Reassure the person that by telling you, they have done the right thing.
- ix. Inform the child or adult at risk that you must pass the information on, but that only those that need to know about it will be told.

Inform them of whom you will report the matter.

If a child or adult at risk says they will tell you only if you promise not to pass on the information, explain that this is not possible – even if this means they refuse to say any more.

- x. Update Designated Person, or if not available the Director.



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In the highly unlikely event that none of these are available, the member of staff has a personal responsibility, and this should be passed on to the Police for consideration.

Appendix C: CATEGORIES OF ABUSE: ADULTS AT RISK

The guidance for the Care Act (2014) identifies areas that may constitute abuse and neglect.

Physical Abuse

Physical abuse causes harm. It includes assault, hitting, slapping, pushing, misuse of medication, restraint, or inappropriate physical sanctions.

Domestic Violence

This includes psychological, physical, sexual, financial, emotional abuse and so-called 'honour' based violence. The terms "honour crime" or honour-based violence" or "izzat" embrace a variety of crimes of violence (mainly but not exclusively against women), including assault, imprisonment, and murder, where the person is being punished by their family or their community. They are being punished for, or allegedly, undermining what the family or community believes to be the correct code of behaviour. In transgressing this correct code of conduct, the person is perceived as having brought "shame" or dishonour" to the family or community. The age range for this abuse type covers everyone 16 years and over. It can be a single event of several incidents and can include coercion or controlling behaviour as well as violence and abuse.

Neglect and Acts of Omission

Neglect is the persistent or severe failure to meet a person's basic physical and / or psychological needs. This includes ignoring medical, emotional, or physical care needs, failure to provide access to appropriate health, care and support or educational services the withholding of the necessities of life, such as medication, adequate nutrition, and heating. Neglect is not always intentional and may be due to carers not coping or struggling to cope. Self-neglect This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. Self-neglect, albeit recognised for many years, is now specifically identified in the Care Act (2014) and the statutory guidance. Addressing the issue at both a practice and managerial level can be extremely complex and challenging.

Self-neglect and Adult Safeguarding: Findings from research (Braye et al, 2011) is a report to government concerning the issues and will be useful to practitioners in this difficult area.

Sexual Abuse

Sexual abuse involves a child, young person or adult at risk being forced or coerced into participating in or watching sexual activity. It includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography*, subjection to pornography or witnessing sexual acts, sexual acts, or sexual assault to which the person has not consented or was pressured into consenting. *Sending or posting sexually suggesting images (sexting) All learners/supported people should be aware that making, possessing, and distributing any imagery of someone under eighteen which is 'indecent' is illegal. This includes imagery of yourself if you are under eighteen. All members of staff (including non-teaching) will be made aware of how to



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recognise and refer any disclosures of incidents involving 'youth produced sexual imagery.' CCP will follow UKCCIS Guidance: Sexting in schools and colleges, responding to incidents, and safeguarding young people (2016) to assess the risk and to determine the most appropriate course of action. This may include police involvement.

Emotional or psychological abuse

Emotional or psychological abuse occurs where there is persistent emotional ill treatment or rejection. It includes emotional abuse threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

Financial or material abuse

Financial or material abuse occurs where there is deliberate misappropriation of another's possessions. This can include theft, fraud, internet scamming, coercion in relation to an adult's financial affairs to arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions, or benefits.

Modern Slavery

This encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers' and slave masters use whatever means they have at their disposal to coerce, deceive, and force individuals into a life of abuse, servitude, and inhumane treatment.

Discriminatory Abuse

Discriminatory abuse is motivated by oppressive or discriminatory attitudes towards a person's disability, race, gender, age, religion, cultural background or sexual orientation and it may manifest itself as unequal treatment, verbal abuse, inappropriate use of language, derogatory remarks, harassment, and deliberate exclusion.

Organisational/Institutional Abuse

Institutional abuse can occur within an institution charged with the care of a person. This can include neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may be through neglect or poor professional practice as a result of the structure, policies, processes, and practices within an organisation.

Radicalisation

Radicalisation is the process by which people come to support terrorism and violent extremism and, in some cases, then to participate in terrorist groups. There is no obvious profile of a person likely to become involved in extremism, or single indicator of when a person might move to adopt violence in support of extremist ideas. Potential diagnostic indicators may include use of inappropriate language, possession of violent extremist literature, behavioural changes and so on. If members of staff do have concerns about a young person, they should seek advice from the Safeguarding Officer immediately.



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Forced Marriage

A forced marriage is a marriage in which one or both spouses do not (or, in the case of some adults with learning or physical disabilities, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual, and emotional pressure. This is different from an arranged marriage. In arranged marriages, the families of both spouses take a leading role in arranging the marriage but the choice whether to accept the arrangement remains with the prospective spouses.

Who is at risk?

Learners/supported people, male or female, from as young as 11 may be at risk of being forced into marriage by parents. They may be pressurised and then agree to marry one of the prospective candidates without time for reflection. The younger learners/supported people may be betrothed with the expectation that they will enter full married state at a later stage of their lives. In the UK, young people can be forced into a legal marriage from age 16 or undergo a religious ceremony at an earlier age and suffer sexual abuse.

The key motives for forcing a learner into marriage have been identified as:

- Controlling unwanted behaviour and sexuality (including perceived promiscuity such as kissing or hand holding, or being gay, lesbian, bisexual, or transgender) - particularly the behaviour and sexuality of women
- Controlling unwanted behaviour, for example, alcohol and drug use, wearing make-up or behaving in a 'westernized manner'
- Preventing 'unsuitable' relationships, e.g., outside the ethnic, cultural religious or caste group
- Protecting 'family honour' or 'izzat'
- Rejecting a proposal of marriage
- Responding to peer group or family pressure
- Attempting to strengthen family links
- Achieving financial gain
- Ensuring land, property and wealth remain within the family
- Protecting perceived cultural ideas
- Protecting perceived religious ideals that are misguided
- Ensuring care for a learner or adult at risk with special needs when parents or existing carers are unable to fulfil
- Assisting claims for residence and citizenship.
- Long standing family commitments



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Appendix D: TRANSPORTING YOUNG PEOPLE AND ADULTS AT RISK

Where organisations decide for the transportation of young people and adults at risk, the members of staff and volunteers involved will undertake a risk assessment of the transportation required.

This will include an assessment of the following areas:

- Ensuring that all vehicles are correctly insured for the purpose.
- Ensuring the driver has a valid and appropriate license for the vehicle being used.
- All reasonable safety measures are available i.e., fitted, working seatbelts.
- An appropriate ratio of adults per young person; recommendation of one adult to ten young people or adults at risk
- Ensuring drivers have adequate breaks
- When transporting young people and adults at risk, wherever possible they should be in the back of the car for health and safety reasons.
- Where practicable and planned, written parental or carer consent will be requested if staff or volunteers are required to transport young people and adults at risk.
- Latest national and local COVID 19 legislation and guidance on transportation

To safeguard the member of staff or volunteer the following good practice is required:

- Agree a collection policy with parents or carers which will include a clear and shared understanding of arrangements for collection at the end of a session.
- Always tell another member of staff that you are transporting a young person or adult at risk, give details of the route and anticipated length of the journey.
- Take all reasonable safety measures e.g., young person or adult at risk in the back seat, seatbelts worn.
- Where possible, have another adult accompany you on the journey.
- Call ahead to inform the young person / adult at risk's parents or carer that you are giving them a lift and inform them when you expect to arrive.

All adults should:

- ensure they have up to date and appropriate insurance
- ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/ or ability to drive
- be aware that the safety and welfare of the child/vulnerable person is their responsibility until they are safely passed over to a parent/carers
- record details of the journey in accordance with agreed procedures
- ensure that their behaviour is always appropriate



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- ensure that there are proper arrangements in place to ensure vehicle, passenger, and driver safety.

This includes having proper and appropriate insurance for the type of vehicle being driven.

- ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified if questioned