



**Gateshead Council
Adult Learning and Skills**

**Safeguarding
Learners**

Revised August 2010

Designated contacts

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Gateshead Council Adult Learning and Skills

Community Learning · Family Learning · Skills for Jobs · Skills for Life · Vocational Learning

Excellent Education for Everyone

1. Introduction

- 1.1** Gateshead Council Adult Learning and Skills aims to adopt the highest possible standards to ensure the safety and welfare of all learners.
- 1.2** This policy applies to all staff, volunteers and partners who work with children (i.e. those aged under 16), young persons (i.e. those aged 16 to 18) and vulnerable adults (i.e. as defined by section 59 of the Safeguarding Vulnerable Groups Act 2006 and/or those persons aged over 18 who by reason of mental or other disability, age or illness are or may be unable to take care of themselves or are or may be unable to protect themselves against significant harm or exploitation) whom Gateshead Council Adult Learning and Skills encounters through its teaching and learning activities. All learners could potentially be vulnerable.
- 1.3** This policy should not be used to discourage learning activities, it supports the engagement of a diverse range of learners in the core Gateshead Council Adult Learning and Skills offer. This policy creates a framework that ensures staff, volunteers, partners and visitors protect all learners and keep them safe when within the care of Gateshead Council Adult Learning and Skills.
- 1.4** It is the responsibility of all members of Gateshead Council Adult Learning and Skills to record and report any concerns under this policy.
- 1.5** While it is not possible to ensure that learners would never come to any harm, the adoption of this policy and associated guidelines aims to facilitate the management of the risk associated with the duty to protect such individuals.

2. Safeguarding of children, young people and vulnerable adults responsibilities

- 2.1** Gateshead Council Adult Learning and Skills fully recognises its responsibilities to safeguard, protect and promote the welfare of all.
- 2.2** We will ensure that:
 - 2.2.1** A designated member of staff will oversee this policy and champion protection issues and raise awareness of issues relating to safeguarding and promoting the welfare of all learners.
 - 2.2.2** There are procedures in place for reporting and dealing with allegations of abuse or incidents where learners have felt unsafe.
 - 2.2.3** Gateshead Council Legal and Corporate Services approve this policy and it is reviewed and updated regularly.
 - 2.2.4** The designated person will receive appropriate training to assist with the above duties.
 - 2.2.5** The designated person will ensure Gateshead Council Adult Learning and Skills operates a safe recruitment policy in line with council procedures.
- 2.3** Where services or activities are provided separately by another agency Gateshead Council Adult Learning and Skills will require assurance that the agency concerned has policies and procedures in place for safeguarding all learners which are compatible with this policy and procedures and there are arrangements in place to liaise with us on these matters.

3. Dealing with suspicions of allegations of abuse

- 3.1** Concerns for the safety and well being of all learners could arise in a variety of ways and in a range of different settings. It is essential to act quickly and professionally in all cases of suspected abuse or incidents where learners have stated that they feel unsafe.
- 3.2** Any allegation against a member of staff, another student or a volunteer must be reported immediately to the Gateshead Council Adult Learning and Skills Designated Person.
- 3.3** Ignoring abuse is not an option - if at anytime you think that a learner is being abused or is at risk of abuse you must report your concerns immediately.
- 3.4** If you come across a situation where you think a learner is at risk of abuse you must not ignore the information. Do not assume that others know what you know. You must inform our Designated Person.
- 3.5** Remember that all learners have human rights. You have a duty of care to ensure the rights and needs of the learner is your main consideration.
- 3.6** If an allegation of abuse is made you should:
- allow the person to speak freely
 - not trivialise the issue being discussed
 - not make any suggestions or prompts
 - reassure the person they have done the right thing in disclosing the information

- only ask questions to clarify the situation, do not probe or interrogate so as to investigate the allegations
- ascertain the wishes of the alleged victim/witness about what they want to do or what they would like to happen
- let them know the information disclosed cannot be kept secret and that the information will have to be discussed with other people on a need to know basis. This is especially the case if a crime has been or may have been committed. They should be told with whom the information will be shared and that their views and wishes will be taken into account.
- record any views, wishes or concerns expressed by the person
- report concerns immediately to Adult Learning and Skills Designated Person.

4. Preserving Evidence and Recording

- 4.1** In most circumstances when preserving evidence you may not need to do anything except record the events that have given rise for concern. However, there may be occasions when it is important to follow certain rules:
- Ensure written records (notes, letters, bank statements, medication records etc.) are kept in a safe place.
 - Make a written record of messages (e.g. answer-phone) to ensure they are not lost. Include the date and time and sign them.
 - In cases of physical or sexual assault encourage the person not to wash bathe or shower where you think they might need a medical examination.

- Try and ensure that others around do not interfere with any items that maybe important for the police.
- If there is any suspicion that there may be forensic evidence, inform the police and preserve the evidence. The person may not tell you all the facts on the initial disclosure - do all you can to anticipate what may be needed as evidence, and do all you can to preserve it.
- It is important that you write down why you are concerned about a person as simply and clearly as you can, and as soon as you can after an event. In some cases this will mean writing in a person's records or notes, in others it might be on a separate record sheet. All original notes must be retained.
- It is important that you record all relevant information including what you saw, what you heard, and why you acted as you did.
- Sign and date your records and make sure they are kept in a safe place.
- Record any physical signs or injuries using a body map; make sure you sign and date it.
- Write down what is said to you, who said it including their relationship to the child, young person or vulnerable adult or role and how they can be contacted, if appropriate. Include any questions you have asked, make sure you sign and date it.
- Include any details about what the person wants to be done at this stage.

5. Categories of abuse

Physical - can include hitting, slapping, pushing, kicking, inappropriate restraint or sanction, misuse of medication or any other physical harm.

Neglect - is a persistent or severe failure to meet the learner's basic needs and may include ignoring medical and or physical care needs, failure to provide access to appropriate health, social care, and or educational services.

Sexual - includes rape, and sexual assault or being coerced into participating in or watching sexual activity to which the learner has not consented, or could not consent, or where pressure was applied to secure their consent. It is not necessary for the victim to be aware that the activity is sexual

Psychological - can include emotional abuse, threats of harm or abandonment, deprivation of contact, harassment, isolation and or withdrawal of services of supportive networks.

Discriminatory - includes racist and sexual abuse that is based upon the individual's disability.

Financial - relates to the unauthorised or improper use of funds or money or resources belonging to the individual.

Institutional abuse involves the collective failure of an organisation to provide an appropriate and professional service to learners (processes, attitudes and behaviour that amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and stereotyping).

If you have been affected by any of the above issues or you know someone who has please contact our **Designated Person** on **0191 433 8796**.

Or if the person is in immediate danger contact the **police** on **999** or **Gateshead Police** on **03456 043043**.

For incidents affecting young people contact the **Referral and Assessment Team 0191 433 2349**, Outside of hours **Social Work Team** contact **0191 477 0844** or **Childline 0800 1111**.

For incidents affecting adults contact **Adult Social Care Direct** on **0191 433 7033** Outside of office hours **Social Work Team** contact **0191 477 0844**.

For incidents of Domestic Violence Contact the **Safer Families Team** on **0191 433 5600** or **National Women's Aid 08-82000 247**.

Where you have immediate concerns for the safety and welfare of a child or young person during office hours please telephone **0101 433 2515 Referral and Assessment Team**.

To make urgent referrals outside of office hours please telephone the **Emergency Duty Team** on **0191 477 0844**.

6. Prevention

- 6.1** Gateshead Council Adult Learning and Skills will establish and maintain an ethos where learners feel secure and are encouraged to talk and are listened to.
- 6.2** We will ensure that all learners are aware of the procedure they can follow if they have any concerns or want to report an incident.
- 6.3** All staff, volunteers and partners will receive a copy of this policy and adequate training in relation to the protection of learners.

7. Procedures

7.1 Recruitment

7.1.1 Gateshead Council Adult Learning and Skills is registered with the Criminal Records Bureau and ensures that any member of staff or volunteer that will have substantial contact with learners will be checked for relevant criminal convictions. All members of staff and providers who will be working with learners will have a CRB and criminal convictions check.

7.1.2 Gateshead Council Adult Learning and Skills have a duty to comply with the Safeguarding Vulnerable Groups Act 2006 and will ensure that any member of staff or any student who will participate in regulated activity will be checked under the Independent Safeguarding Authority ("ISA")'s Vetting and Barring Scheme ("VBS").

To help implement the Scheme a new public body called the Independent Safeguarding Authority (ISA) has been created. The ISA make decisions over who should be barred from working with vulnerable people. These decisions are legally binding so a barred person must not undertake certain roles under any circumstances. Failing to comply could result in both the employer and the employee or volunteer being prosecuted and even going to prison.

7.1.3 From July 2010 all new employees, those moving jobs and volunteers who want to work with children or vulnerable adults must be registered with the ISA. This also applies for the purpose of our commitment to all learners. From November 2010, all new employees and volunteers must be registered before they start work. From then it will be illegal to employ people who are not ISA-registered.

Gateshead Council Adult Learning and Skills follows Gateshead Council's policies and systems to ensure that all staff and volunteers meet the legal requirements of the ISA. (These procedures are currently under review within the new Government).

7.2 Training and Support

7.2.1 Gateshead Council Adult Learning and Skills will provide appropriate guidance and training relating to safeguarding.

7.2.2 All new members of staff will receive the safeguarding policy as part of their induction process. A training cycle has been developed for all members of staff to receive safeguarding training.

7.2.3 It is a mandatory requirement of employment that all staff attend safeguarding training. Training will be delivered in partnership with Gateshead Council Work Force Development, Commissioning and Safeguarding, LSIS and will be delivered termly.

7.3 Risk assessments

7.3.1 All tutors are responsible for completing a thorough risk assessment on the environment, activity and learner, these risk assessments should be completed within the register. A comprehensive risk assessment should be completed on the first session and should be reviewed each week. A separate assessment should be conducted for a visit or any other activity that is in addition to the standard programme content. All visits must now be recorded on EVOLVE. Please contact your Designated Person as they are also an Educational Visits Officer.

7.3.2 All those involved in the risk assessment process should understand that the risk assessment is not only a way to mitigate or remove any potential risks but may also be a prompt to consider alternative working practices.

7.3.3 Learners must be informed of any potential risks. It would be good practice to involve learners in the risk assessment process.

7.3.4 Further information relating to safe working practices can be located within the Council's Health and Safety policy within the employee handbook. Be familiar with the Council's Health and Safety Policy, safety arrangements, codes of practices and systems of work.

7.4 Personal safety and security for learners and staff

7.4.1 Due to the nature of our work delivery occurs in many different venues, it should not be assumed that fire evacuation and first aid policies are the same in every venue. All staff should always make themselves and the learners aware at the beginning of every session of;

7.4.1.1 First Aid - who is first aid qualified and where the first aid box is located.

7.4.1.2 Fire evacuation procedures.

- What to do in the event of a fire
- Nearest fire exit
- Location of assembly point
- Location of fire extinguishers
- Inform learners if there is likely to be a practice fire alarm

7.4.1.3 Lone working - should an occasion occur where staff will be working separately from others outside normal hours of work, in venues where they are working without close or direct supervision or on site assessing. They must ensure the following:

- They have a contact number for a person who can be contacted in case of an emergency and a contact at the venue and that this is recorded on the register.
- Their direct line manager is aware of the delivery.
- Staff and learners are aware of the safest way to leave the building to ensure the health, safety and well being of all parties.
- A risk assessment is completed in the register. Staff inform someone of the risk and ensure that they are aware of what they should do.

If your health, safety and well-being has been put at risk:

- 7.4.2** If there is an immediate risk of violence remove yourself and others who may be at risk.
- 7.4.3** Find someone else within the venue and inform them of the risk
- 7.4.4** Contact the emergency contact number from the register.
- 7.4.5** If this is not practical or the issue is serious contact emergency services on 999.
- 7.4.6** All other risks, make the learner aware of what they are doing is inappropriate and unacceptable.
- 7.4.7** It is important that Adult Learning & Skills Designated Person is informed about any incident immediately. It is extremely important that all information is received and acted upon immediately. All incidents and complaints received relating to the health, safety and well being of learners and staff will be acted upon, recorded and stored for future reference.

7.5 Information, Communication and Technology

7.5.1 Gateshead Council Adult Learning and Skills recognise that learners must have as many opportunities to extend their knowledge and broaden their skills as much as possible. Whilst using ICT within your teaching and learning it is expected that:

- All learners will be lawful, efficient, economical and ethical in their use of the Council's ICT resources, which are provided to create, preserve, transmit and apply knowledge through teaching, research, creative works and other forms of learning.

7.5.2 ICT facilities are provided to enrich the curriculum but it is important learners are aware that:

- It is illegal to use any ICT resources to harass, menace, defame, libel, or discriminate against any other learner or person within or beyond the Council.
- Users must respect and protect their privacy and that of others.
- Users are not permitted to use ICT resources to access, store or transmit pornographic material of any sort.
- Materials should not be used to infringe copyright law. The law permits copying and/or printing only with permission of the copyright owner, with a few limited exceptions.
- You must use ICT resources in an appropriate way which is not likely to corrupt, damage or destroy data, software or hardware, either belonging to the Council or to anyone else.

- You must be aware when using ICT resources to ensure your health, safety and well-being is protected at all times and that you do not place yourself in any situation where you feel unsafe or threatened.

We reserve the right to remove or restrict access to any material should we feel that there has been mis-conduct.

7.6 Supporting learners

7.6.1 We recognise that learners who are abused may find it difficult to develop a sense of self worth and to view the world as benevolent and meaningful. They may have feelings of helplessness, humiliation and some sense of self-blame.

7.6.2 We recognise that some learners actually adopt abusive behaviour and that these learners must be referred on for appropriate support and intervention.

7.6.3 Gateshead Council Adult Learning and Skills will promote a positive, supportive and secure environment and will liaise with other agencies to ensure the learner is valued and has an opportunity to achieve.

7.7 Confidentiality

7.7.1 Staff will ensure confidentiality protocols are adhered to and information is shared appropriately. If in any doubt about confidentiality, staff will seek advice from Adult Learning and Skills Designated Person, a Senior Manager or from the Council's Information Rights Officer on 0191 433 2192 as required.

7.7.2 All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard all learners.

7.8 Whistle blowing

Gateshead Council has effective systems in place to ensure that its employees provide the best levels of service and act appropriately.

The confidential reporting code is designed to give employees the chance to draw attention to concerns about wrong or unacceptable practice. It is not about telling tales on colleagues but aims to ensure that work is carried out honestly and well.

All concerns will be recorded and investigated promptly. Concerns will, so far as is possible, remain confidential and those raising them will be treated fairly by the Council. For further information please refer to Confidential reporting code on page 10.34 of the Council employee handbook or the information can be located on the Council intranet.

8. Related policies

Further information on any issues detailed in this policy can be located in your employer handbook or looking on the Council Intranet, VLE, internet or alternatively by contacting your designated person.

- Disciplinary procedure
- Grievance Procedure
- Physical intervention
- Bullying and Harassment Policy
- Racist Incident Reporting Policy
- Equality and Diversity Policy
- Health and Safety policy
- Fraud and Corruption Policy
- Council ICT security Policy
- Code of conduct

Code of Practice

The following code of practice applies to all Gateshead Council Adult Learning and Skills Staff working with all learners.

- Avoid unnecessary physical contact.
- Avoid taking a learner alone in a vehicle on journeys, however short.
- Unless circumstances make it impossible to comply, do not take a learner to the toilet unless either (a) another adult is present or (b) another adult is aware (this may include a parent or group leader).
- If you find you are in a situation where you are alone with a learner, wherever practicable make sure that others can clearly observe and hear you.
- Ensure that the learner can see their own means of exit route.
- Avoid close personal relationships with learners in relation to whom you are in a position of trust.
- Do not make suggestive or inappropriate remarks to learners
- If a learner accuses a student or member of staff of abuse or inappropriate behaviour, you should report this immediately to the Designated Person.
- The duty to report applies equally to complaints or accusations of historic, and not just recent, abuse/inappropriate behaviour.
- If a learner makes a complaint, or if there are other reasons for suspecting abuse, you should not attempt to investigate this yourself, but should report your concerns to the designated individual appointed under Gateshead Council Adult Learning and Skills's policy ("the policy") on the safeguarding of learners
- Participate in the training available to you to support you in your work with learners.
- Contribute to policies and practice where you feel changes could/should be made.
- Remember that those who abuse children, young people and adults can be of any age (even other children and vulnerable adults), gender, ethnic background or class, and it is important not to allow personal preconceptions about people to prevent appropriate action taking place.
- Value and respecting all learners as individuals, and the adult modelling of appropriate conduct - which would exclude bullying, aggressive behaviour and discrimination in any form.
- Those dealing with any allegations of abuse or misconduct should adhere to the principles set out in this policy. Any information received should be acted upon sensitively, effectively and efficiently. Those making allegations should be given information about the outcome.
- Although allegations should be reported only on a "need to know" basis, staff and students making allegations need not be concerned that they will be breaching confidentiality or the Data Protection Act, as complying with the policy overrides such obligations. If the person making the allegation feels they need counselling or other appropriate support from Gateshead Council Adult Learning and Skills, they are encouraged to seek it.
- You have a duty of care to all learners and staff to report any allegations of abuse or any incidents.
- Ensure that you comply with appropriate licensing laws.

NB: Developed in consultation with staff throughout 09/10.



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