

<b>CURRICULUM/LEARNER POLICIES AND PROCEDURES</b>		<b>LEWISHAM SOUTHWARK COLLEGE</b>
Policy title:	<b>Adults at Risk Protection Policy and Procedure</b>	
Applies to:	All staff, volunteers, governors and students under the age of 18	
Owner of Policy	Student Services	

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## **Adults at Risk Protection Policy – 2016-17**

### **1. Introduction**

**1.1** This policy is one of a series of policies and procedures intended to ensure that the College fulfils its safeguarding responsibilities. Our core safeguarding principles are:

- The safeguarding and wellbeing of students is of importance to the College
- Safe students are more likely to stay and succeed
- Students should report any concerns they may have about safeguarding
- Policies will be reviewed annually (unless an incident or any new legislation or guidance suggests the need for an interim review)
- Information on our safeguarding policies will be made available to students, staff and where appropriate parents/carers.

### **2. Adults at Risk Policy Statement**

**2.1** Lewisham Southwark College recognises that it has a duty to safeguard and promote the welfare of all its students and the families that we come into contact with.

The College has the following policies and procedures in place in order to promote the welfare of and safeguard children and young people:

- Child Protection Policy and Procedure
- (Student) Disciplinary Policy and Procedure
- E-Mail, Internet and Social Networking Policy
- Offensive Weapons and Searching and Screening Policy
- Children on College Premises Policy
- Health and Safety Policy
- Bullying Prevent Policy

**2.2** This policy deals with the protection of Adults at Risk of Harm. An Adult at Risk of Harm is defined as:

An adult aged 18 years or over 'who may be in need of community care services by reason of mental or other disability, age or illness; and who is or maybe unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation' (DH, 2000). This definition is taken from the current Department of Health guidance to local partnerships.

**2.3** Other definitions exist in partner organisations. An 'Adult at Risk' may therefore be a person who:

- is elderly and frail due to ill health, physical disability or cognitive impairment
- has a learning disability
- has a physical disability and/or a sensory impairment
- has mental health needs including dementia or a personality disorder
- has a long term illness/condition
- misuses substances or alcohol
- is a carer such as a family member/friend who provides personal assistance and care to adults and is subject to abuse
- is unable to demonstrate the capacity to make a decision and is in need of care and support

Please note that this list is not exhaustive.

**2.4** The College has developed procedures in line with the Protecting Adults at Risk: London multi-agency policy and procedures (January 2014) to safeguard adults from abuse. The procedures within this policy apply to all staff and governors. The College will:

- take a preventative approach to protecting Adults at Risk from potential harm or damage.
- take all appropriate actions to address concerns about the welfare of 'Adults at Risk'.
- work to agreed local policies and procedures in full partnership with other local agencies.
- plan, implement, monitor and review policies and procedures to ensure that the maximum is done to provide a safe environment for 'Adults at Risk' in the College.

**2.5** It is the responsibility of all staff to ensure that they carry out their duties in accordance with the duty to safeguard and that they take prompt, appropriate, action when they have concerns about an adult at risk. Staff also have a right to be treated fairly if an allegation of abuse is made against them. There is a Designated Safeguarding Officer with special responsibility for 'Adults at Risk'.

### **3. Policy Aims**

**3.1** The aims of this policy are to:

- provide staff, volunteers and governors with information needed to enable them to meet their child protection responsibilities
- ensure consistent, good practice
- demonstrate the College's commitment to child protection and contribute to the College's safeguarding practice
- Outline how the College will deal with allegations against staff and volunteers including those who are no longer employed by the College
- Set out how the implementation of the policy and procedure and progress to advance safeguarding practice will be monitored

### **4. Safeguarding Definitions**

**4.1** 'Adults at Risk' can potentially be abused within the family, community and organisations by employees (including those employed to promote their welfare and protection from abuse), visitors, volunteers, and their peers. The following are broad categories of abuse. Abuse is the violation of an individual's human and civil rights by any other person or persons. Abuse may be:

- A single act or repeated acts
- An act of neglect or a failure to act
- Multiple acts, for example, an adult at risk may be neglected and also being financially abused

**4.2** Abuse is about the misuse of power and control that one person has over another. Where there is dependency, there is a possibility of abuse or neglect unless adequate safeguards are put in place.

Intent is not an issue at the point of deciding whether an act or a failure to act is abuse; it is the impact of the act on the person and the harm to that individual.

Abuse can take place in setting such as the person's own home, day or residential centres, supported housing, educational establishments, or in nursing homes, clinics or hospitals.

**4.3** A number of abusive acts are crimes and informing the police must be a key consideration.

#### **4.4 Physical abuse (non-accidental harm to the body)**

A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a person. It may be done deliberately or recklessly, or be the result of a deliberate failure to prevent injury occurring.

#### **4.5 Neglect**

Neglect is the persistent failure to meet an 'Adults at Risk' basic physical/psychological needs. Everyone has the right to an adequate standard of care. Neglect can be by omission i.e. not providing care, or by acting in a manner that no reasonable person would act. Neglect is the persistent or severe failure to meet an adult at risk's basic physical and/or psychological needs. It will result in serious impairment of the 'Adult at Risk's' health or development. Neglect may involve a parent/carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment), protect them from emotional harm or danger, fail to ensure adequate supervision or access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, an 'Adult at Risks' basic emotional needs.

#### **4.6 Sexual Abuse**

Sexual abuse is the involvement of people in sexual activities that they do not understand, have not given consent to or which violate the sexual taboos of family custom and practice. It can also include the involvement of people in sexual activities where one party is in a position of power, trust or authority

Sexual abuse can include:

- Vaginal or anal rape, buggery, incest
- Touching or being forced to touch another person in a sexual manner
- Being forced to watch pornography
- Being subject to sexual innuendos and harassment

They may also include non-contact activities, such as involving people in looking at, or in the production of, sexual images, watching sexual activities, encouraging them to behave in sexually inappropriate ways, or grooming them preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other 'Adults at Risk'.

#### **4.7 Emotional/Psychological Abuse**

Emotional or psychological abuse is any action which has an adverse effect on an individual's mental wellbeing, causing suffering and affecting their quality of life and ability to function at their full potential. This may include the threat that other types of abuse could take place or a situation where a person is led to believe this could happen.

Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the adult at risk's behaviour and emotional development, resulting in low self-worth. Some level of emotional abuse is present in all forms of abuse. It can include:

- being ignored
- disregarding a person's opinion
- being bullied (including cyber-bullying)
- living in a culture of fear and coercion

- having opinions and behaviour explained solely in terms of a person's age or disability
- being humiliated
- preventing an Adult at Risk from normal social interaction
- seeing or hearing the ill-treatment of another

Some level of emotional abuse is involved in all types of maltreatment of an Adult at Risk, although it may occur alone.

Including the types of abuse mentioned above 'Adults at Risk' may also be particularly susceptible to these mentioned below:

#### **4.8 Discriminatory abuse**

Discriminatory abuse is being treated differently because of race, gender, age, religion, culture, sexual orientation or ethnicity.

##### **It can include:**

- covertly restricting services
- inappropriate services
- hate mail or acts such as graffiti or posting offensive materials
- failing to provide appropriate facilities e.g. prayer room
- failing to provide appropriate food

#### **4.9 Financial Abuse**

Financial abuse is the theft or misuse of money or personal possessions, which involves an individual's resources being used to the advantage of another person.

##### **It can include:**

- money and possessions being stolen
- money being withheld or stolen
- controlling access to money or benefits

#### **4.10 Female Genital Mutilation (FGM)**

FGM (sometimes referred to as female circumcision) refers to procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons. It has no health benefits and harms girls and women in many ways. It involves removing and damaging healthy and normal female genital tissue, and hence interferes with the natural function of girls' and women's bodies. FGM causes severe pain and has several immediate and long-term health consequences, including difficulties in childbirth also causing dangers to the child. It is practised by families for a variety of complex reasons but often in the belief that it is beneficial for the girl or woman. FGM is practised in 28 African countries as well as in parts of the Middle East and Asia. The practice is illegal in the UK. If you suspect that anyone is or has been subject to FGM, including non-students, this must be reported to a Designated Safeguarding Officer immediately.

#### **4.11 Extremism and Radicalisation**

The Counter-Terrorism and Security Act 2015 places a duty on specified authorities, including local authorities and education providers in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism. This is referred to commonly as the 'Prevent Duty'. Children and young people can be exposed to extremist influences or prejudiced views, in particular those via the Internet and other social media.

There are many signs that a child or young person may be involved in or vulnerable to radicalisation. These signs can include:

- Spending time with suspected extremists
- Using derogatory names for groups of people
- Significant changes in behaviour (which can include dress) and behaviours becoming significantly centred around a particular extremist ideology
- Attempts to recruit other people to an extremist ideology

The list above is by no means exhaustive. If you require any further information, please speak to a Designated Safeguarding Officer.

There are particular risk factors which can make someone at a higher risk of being radicalised. This can include estrangement from family/friends and housing/homelessness issues. Extremists are often able to capitalise on these and other risk factors leading to the individual who has been groomed developing a sense of belonging which they may not have with others.

If you suspect a student is at risk of being radicalised, has been radicalised or is displaying extremist behaviours, you should contact a Designated Safeguarding Officer immediately. They will then decide whether or not to involve external partners to keep the child or young person safe.

#### **4.12 Forced Marriage**

Forced marriage is a form of abuse. It can lead to domestic violence, as it is a form of oppression, which may generate physical violence, emotional, sexual or psychological abuse. Forced marriage is significantly different to an 'arranged marriage' where consent is given. "A marriage is forced when conducted without the valid consent of both parties and where duress is a factor." (Choice by Right, HMO). Where any party to a marriage has not given consent or is in any way put under pressure (e.g. emotional blackmail, threat of violence, abduction, etc.) that is considered to be a forced marriage.

## **5. Roles and Responsibilities**

### **5.1 Governing Body**

The governing body is committed to ensuring that the College:

- provides a safe environment for adults at risk to learn in
- identifies 'Adults at Risk' who are suffering, or likely to suffer, significant harm,
- takes appropriate action to see that such adults at risk are kept safe, both at home and at the College.
- has procedures for reporting and dealing with allegations of abuse against members of staff and volunteers
- operates safe recruitment procedures
- provides appropriate training for designated/staff on adults at risk protection
- designates a senior member of staff and safeguarding officer to take lead responsibility for vulnerable adult protection
- remedies any deficiencies in or weaknesses in regard to Adults at Risk protection arrangements that are brought to the Governing Body's attention
- has a robust Staff Code of Conduct (Staff Charter) that sets out the core expectations staff must adhere to.

The Governor with designated responsibility for Child Protection will also have designated responsibility for 'Adults at Risk' Protection and will liaise with the senior manager with lead responsibility and the Designated Safeguarding Officer with responsibility for 'Adults at Risk'. In developing the policies and procedures, the governing body will consult with, and take account of, guidance issued by the Department for Education and other relevant bodies and groups.

## **5.2 Designated Governor for 'Adults at Risk' protection**

The designated governor is responsible for liaising with the Principal and Chief Executive and Designated Senior Lead (DSL) for safeguarding over matters regarding 'Adults at Risk' protection, including:

- ensuring that the College has procedures and policies which are consistent with national guidelines and frameworks
- ensuring that the governing body considers the College policy on 'Adults at Risk' protection each year
- ensuring that each year the governing body is informed of how the College and its staff have complied with the policy, including but not limited to a report on the training that staff have undertaken in safeguarding
- promoting and ensuring inter-agency working in line with statutory guidance

The Designated Governor is responsible for overseeing the liaison between agencies such as the police, Adult's Social Care in connection with allegations against the Principal and Chief Executive or the Senior Lead Manager for Safeguarding. This will not involve undertaking any form of investigation, but will ensure good communication between the parties and provide information to assist enquiries.

To assist in these duties, the designated governor shall receive appropriate training in line with Local Safeguarding Children's Board procedures.

The governing body has nominated Hilary Moore as the governor with special responsibility for child and Adult at Risk protection issues.

## **5.3 Principal and Chief Executive**

The Principal and Chief Executive is responsible for:

ensuring all staff follow child protection policies and procedures

## **5.4 'Adults at Risk' Designated Safeguarding Officer and Senior Lead Manager**

The College has a specialist designated member of staff who is assigned to act upon 'Adults at Risk' protection concerns. At Lewisham Southwark College this person is called the 'Adults at Risk' Designated Safeguarding Officer and he/she is responsible for co-ordinating action within the institution and liaising with other agencies.

The College 'Adults at Risk' Designated Safeguarding Officer is:

Student Services Team Leader (ALS)

The Adults at Risk Designated Safeguarding Officer is required to know:

- how to identify the signs and symptoms of abuse and when to make a referral
- the Lewisham and Southwark Adult and Community Services Adults at Risk protection procedures and the Vulnerable Adult Protection Manager's role within them

- the role and responsibilities of the investigating agencies and how to liaise with them
- the requirements of record keeping
- the conduct of an 'Adult at Risk' protection conference and how the Adults at Risk Designated Safeguarding Officer or other members of staff can make an appropriate contribution to it.

### **5.5 Senior Lead Manager for Safeguarding**

The College also has a lead Senior Manager for 'Adults at Risk' Protection issues who has responsibility at executive level for 'Adults at Risk' protection. The 'Adults at Risk' Protection Senior Manager is:

Head of Student Services  
Lewisham Way Campus  
Lewisham Way  
London  
SE4 1UT  
020 3757 3300

The Senior Lead Manager for Safeguarding is responsible for:

- taking lead responsibility for raising awareness within the staff of issues relating to the welfare of Adults at Risk, and the promotion of a safe environment for all students in College
- overseeing the referral of cases of suspected abuse or allegations to social care teams
- providing advice and support to other staff on issues relating to 'Adults at Risk' protection
- maintaining a proper record of any 'Adult at Risk' protection referral, complaint or concern (even where that concern does not lead to a referral)
- ensuring that parents of 'Adults at Risk' within the College are aware of the College's 'Adults at Risk' protection policy
- liaising with appropriate agencies
- liaising with employers and training organisations that receive 'Adults at Risk' from the College on long term placements to ensure that appropriate safeguards are put in place
- ensuring that staff receive basic training in 'Adults at Risk' protection issues and are aware of the College's child protection procedures.
- reporting annually to the governing body of the College on how the College has discharged its duties.
- reporting deficiencies in procedure to the governing body at the earliest opportunity.
- submitting a monthly report for the College's Senior Leadership Team on safeguarding incorporating Health and Safety, serious incidents and training undertaken/delivered by the College
- undertaking referrals to and liaising with the Local Authority Designated Officer when dealing with child protection issues involving allegations against staff
- disseminating learning from Serious Case Reviews (SCRs) to the Senior Leadership/College Management Team.

In the absence of the Head of Student Services, their designated representative will fulfil this role. This will usually be the Admissions and Student Support Manager who also acts as the College's Lead Designated Safeguarding Officer.

## 5.6 Designated Safeguarding Officers

The Designated Safeguarding Officers:

- report to the senior member of staff with lead responsibility
- know how to make an appropriate referral
- will deal with individual cases, including attending case conferences and review meetings as appropriate.
- will take the 'Adult at Risk's' wishes into account, and where possible, involve them in decision making
- have received training in 'Adults at Risk' protection issues and inter-agency working
- will record all interventions that relate to the safeguarding of students

Designated Safeguarding Officers are:

- School Partnerships Manager
- Student Services Manager
- Student Services Team Leader (ALS)
- Student Services Team Leaders
- Safeguarding and Support Officer (who specialise in Looked After Children)
- Wellbeing Officer
- Head of IELTS

## 5.7 All staff

It is the responsibility of all staff to:

- behave professionally and in accordance the College's Code of Conduct
- ensure that they carry out their duties in accordance with the duty to safeguard all students
- take prompt, appropriate, action when they have concerns about an 'Adult at Risk'.

It is the responsibility of all staff working within the College to report 'Adult at Risk' protection concerns, i.e. where they believe an Adult at Risk has suffered abuse and/or significant harm or is at risk from suffering from abuse or significant harm. These reports need to be made to one of the Designated Safeguarding Officers or the Senior Lead Manager for Safeguarding (Head of Student Services).

## 6. Admissions/Duty of Care

**6.1** The College will take steps to identify 'Adults at Risk' on admission to a course. Teachers will be informed, as part of the admissions procedures, if 'Adults at Risk' have been enrolled on their course where these are not specifically designed for 'Adults at Risk'. Additional supervision measures will be put in place for all students defined as 'Adults at Risk', and such students will come under the provision of this policy. The process for doing this is outlined in the Additional Learning Support procedures.

## 7. Missing 'Adults at Risk'

**7.1** Where there are cases of students going missing or repeatedly going missing, Designated Safeguarding Officers will be notified. The Designated Safeguarding Officers will seek advice and/or refer to 'Adults at Risk' social care as appropriate.

## 8. Significant Concerns:

**8.1** The College recognises that many students require support to safeguard and enhance their welfare, however, this may not warrant intervention by 'Adults at Risk' Social Care. In these cases, students should be referred to the College's Admissions and Student Support Team.

The Admissions and Student Support Team provide a range of support which includes:

- Counselling and mental health support
- Behaviour management support
- Welfare advice and guidance
- Referral to Internal and External specialist support including Educational Psychologist, Occupational Therapists and social care for those with complex disabilities.

## **9. Dealing with Disclosure of Abuse and Procedure for Reporting Concerns**

**9.1** Sometimes a member of staff may have suspicions that a learner is being abused or is at risk of significant harm. A learner may also disclose to a member of staff that s/he is being abused. In these circumstances, the procedure outlined below should be followed:

If an 'Adult at Risk' discloses abuse, or if abuse is suspected, staff should:

- listen carefully and stay calm
- question normally and without pressure, in order to be sure that what the adult is saying is understood by the member of staff. Questions should not be asked about the incident/s
- allow the adult at risk to speak without interruption
- never trivialise or exaggerate the issue
- never make suggestions
- never coach or lead the adult at risk in any way
- always ask enough questions to clarify your understanding, do not probe or interrogate – no matter how well you know the *adult at risk* – spare them having to repeat themselves over and over.
- be honest – let the adult(s) at risk know that you cannot keep this a secret, you will need to tell someone else.
- do not show your emotions – if you show anger, disgust or disbelief, they may stop talking. This may be because they feel they are upsetting you or they may feel your negative feelings are directed towards them
- let the adult at risk know that you are taking the matter very seriously
- make the adult at risk feel secure and safe without causing them any further anxiety.
- reassure the adult that by telling a member of staff, they have done the right thing.
- note the main points carefully.
- make a detailed note of the date, time, place, what the adult said, did and the questions asked by the member of staff together with what they said to the adult etc.
- consider recording the conversation where there are communication difficulties

Staff should not:

- put words into the adult's mouth or ask leading questions
- investigate concerns or allegations, but should report them immediately to the Designated Safeguarding Officer/Senior Lead for Safeguarding
- promise confidentiality

## **10. Reporting to Designated Safeguarding Officers**

**10.1** Staff should report any concerns, suspicions or disclosures of abuse as soon as possible, and within 24 hours, to one of the Designated Safeguarding Officers. If the Designated Safeguarding Officer cannot be contacted, the report should be made to the Senior Lead for Safeguarding (Head of Student Services).

## **11 Contact with Adult Services**

The designated member of staff (or the Principal) must report the matter by telephone within 24 hours where possible and appropriate to social workers in the Adult Social Care Department for the local authority where the adult lives.

A written record of the date and time of the report should be made and the report must include the name and position of the person to whom the matter is reported.

## **12 Written Records**

The designated member of staff shall retain a copy of:

- the referral
- any written reports, notes or correspondence dealing with the matter
- any other relevant material
- Copies of reports, notes should be kept securely at all times. Access to records will be confined to the College's Designated Safeguarding Officers.

The College recognises the importance of recording interventions and that this could be used as evidence by the Police and Domestic Homicide/Serious Case Reviews. All Designated Safeguarding Officers have access to and record their work on the safeguarding system as part of the College's efforts to safeguard and support students.

## **13 Reporting and Dealing with Allegations**

### **13.1 Allegations against members of staff**

The College recognises that an allegation of child 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. The College recognises that the Children Act (1989) states that the welfare of the child is the 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 with sensitivity.

**13.2** If an allegation is made regarding a staff member who is no longer volunteering or employed by the College, the matter will be immediately reported to the Police.

**13.3** Where an allegation is made against a member of agency staff, the investigation will be undertaken by both the recruitment agency and the College's appointed Investigating Officer unless inappropriate to do so. Any investigation will not be undertaken whilst Social Care/Police carry out their own investigations.

## **14 Allegations against Volunteers**

**14.1** A member of staff who receives an allegation about a volunteer from a child/young person should follow the guidelines in Sect for dealing with disclosure. The Designated Safeguarding Officer will:

- notify the Principal and Chief Executive
- take such steps s/he considers necessary to ensure the safety of the student/child in question and any other student/child who may be at risk – this is likely to include
- remove the volunteer from his/her volunteering role and ask him/her not to attend college pending the investigation
- report the matter to the local *Adults at Risk Social Care Team within 24 hours* and in accordance with the College procedure.
- Where volunteers no longer work for the College, any disclosures will still be investigated and the Local Authority notified as appropriate.

## **15 Receiving an Allegation from an Adult**

**15.1** A member of staff who receives an allegation about another member of staff from an adult should follow the guidelines for dealing with disclosure. The allegation should be reported immediately to the Principal, unless the Principal is the person against whom the allegation is made, in which case the report should be made to the Senior Staff Member with Lead Responsibility or the Designated Governor. The Principal (or designated person if the allegation is against the Principal) should:

Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the Principal (or designated person).

## **16 Initial Assessment by the Principal (or designated person)**

**16.1** The Principal (or designated person) should make an initial assessment of the allegation, consulting with the Senior Staff Member with Lead Responsibility. Where the allegation is considered to be either a potential criminal act or indicates that the adult has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the Adult Social Care Department.

**16.2** It is important that the Principal (or designated person) does not investigate the allegation. The initial assessment should be on the basis of the information received and is a decision whether or not the allegation warrants further investigation.

**16.3** Other potential outcomes are:

- The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the adult. The matter should be addressed in accordance with the College disciplinary procedures.
- The allegation can be shown to be false because the facts alleged could not possibly be true.

## **17. Enquiries and Investigations**

**17.1** Adult protection enquiries by Social Care or the police are not to be confused with internal, disciplinary enquiries by the College. The College may be able to use the outcome of external agency enquiries as part of its own procedures. The adult protection agencies, including the police, have no power to direct the College to act in a particular way, however, the College should assist the agencies with their enquiries. The College shall hold in abeyance its own internal enquiries while the formal police or social services investigations proceed; to do otherwise may prejudice the investigation.

**17.2** Any internal enquiries shall conform to the existing staff disciplinary procedures. If there is an investigation by an external agency, for example the Police, the Principal (or designated person) should normally be involved in, and contribute to, the inter-agency strategy discussions. The Principal (or designated person) is responsible for ensuring that the College gives every assistance with the agency's enquiries. He/she will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The Principal (or designated person) shall advise the member of staff that he/she should consult with a representative, for example, a trade union.

**17.3** Subject to objections from the police or other investigating agency, the Principal (or designated person) shall:

- inform (as appropriate) the adult or parent/carer making the allegation that the investigation is taking place and what the likely process will involve.
- ensure that the parents/carers of the adult making the allegation have been informed that the allegation has been made and what the likely process will involve.
- inform the member of staff against whom the allegation was made of the fact that the investigation is taking place and what the likely process will involve.
- inform the Chair of Governors and/or the designated governor of the allegation and the investigation.

**17.4** The Principal (or designated person) shall keep a written record of the action taken in connection with the allegation.

## **18 Suspension of Staff**

**18.1** Suspension should not be automatic. In respect of staff other than the Principal, suspension can only be carried out by the Principal. In respect of the Principal, suspension can only be carried out by the Chair of Governors (or in his/her absence, the deputy chair).

**18.2** Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary, act and shall be on full pay. Consideration should be given to alternatives: e.g. paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.

**18.3** Suspension should only occur for a good reason. For example:

- where an adult is at risk.
- where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.
- where necessary for the good and efficient conduct of the investigation.

**18.4** If suspension is being considered, the member of staff should be encouraged to seek advice, for example from a trade union.

**18.5** Prior to making the decision to suspend, the Principal (or Chair or Vice Chair of Governors) should interview the member of staff. This should occur with the approval of the appropriate agency. In particular, if the Police are engaged in an investigation the officer in charge of the case should be consulted.

**18.6** The member of staff should be advised to seek the advice and/or assistance of his/her trade union and should be informed that they have the right to be represented by a Trade Union representative or workplace colleague. The member of staff should be informed that an allegation has been made and that consideration is being given to suspension. It should be made clear that the interview is not a formal disciplinary hearing, but solely for raising a serious matter which may lead to suspension and further investigation.

**18.7** During the interview, the member of staff should be given as much information as possible, in particular the reasons for any proposed suspension, provided that doing so would not interfere with the investigation into the allegation. The interview is not intended to establish the member of staff's innocence or guilt, but give the opportunity for the member of staff to make representations about possible suspension. The member of staff should be given the opportunity to consider any information given to him/her at the meeting and prepare a response, although that adjournment may be brief.

**18.8** If the Principal (or Chair or Vice Chair of Governors) considers that suspension is necessary, the member of staff shall be informed that he/she is suspended from duty. Written confirmation of the suspension, with reasons, shall be dispatched as soon as possible, and ideally within one working day.

**18.9** Where a member of staff is suspended, the Principal (or Chair or Vice Chair of Governors) should address the following issues:

- the Chair of Governors should be informed of the suspension in writing.
- the Governing Body should receive a report that a member of staff has been suspended pending investigation, the detail given to the governing body should be minimal
- where the Principal has been suspended, the Chair or Vice Chair of Governors will need to take action to address the management of the College
- the parents/carers of the adult making the allegation should be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the adult making the allegation of the suspension
- senior staff who need to know of the reason for the suspension should be informed
- depending on the nature of the allegation, the Principal should consider with the nominated Governor whether a statement to the students of the College and/or parents/carers should be made, taking due regard of the need to avoid unwelcome publicity
- the Principal shall consider carefully and review the decisions as to who is informed of the suspension and investigation.
- The suspended member of staff should be given appropriate support during the period of suspension. He/she should also be provided with information on progress and developments in the case at regular intervals.
- The suspension should remain under review in accordance with the College disciplinary procedures.

## **19. The Disciplinary Investigation**

**19.1** The disciplinary investigation should be conducted in accordance with the College's existing staff disciplinary procedures.

**19.2** The member of staff should be informed of:

- the disciplinary charge against him/her.
- his/her entitlement to be accompanied or represented by a trade union representative or colleague..

**19.3** Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension should be lifted immediately and arrangements made for the member of staff to return to work.

**19.4** The adult making the allegation and/or their parents should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to College of the member of staff (if suspended). The Principal (or designated person) should give consideration to what information should be made available to the general population of the College.

## **20. Allegations without foundation**

**20.1** False allegations may be indicative of problems of abuse elsewhere. A record should be kept and consideration given to a referral to the Adult Social Care Department in order that other agencies may act upon the information.

**20.2** In consultation with the designated senior member of staff and/or the designated Governor, the Principal shall:

- inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or Adults at Risk protection action will be taken.
- inform the parents/carers of the alleged victim that the allegation has been made and of the outcome.
- where the allegation was made by an adult other than the alleged victim, consideration to be given to informing the parents/carers of that adult
- prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.

## **21. Partnership Working with Parents/Carers**

**21.1** It is our policy to work in partnership with parents/carers to secure the best outcomes for our children and young people. We will therefore communicate as clearly as possible about the aims of the College. We will

- use clear statements in our parent/carer guide and other correspondence.
- involve parents/carers and students in the review of key policies and procedures of
- liaise with agencies in the statutory, voluntary and community sectors and locality teams that are active in supporting families
- be alert to the needs of parents/carers who do not have English as their first language and will utilise the translation services as necessary.

**21.2** We will encourage students to pass information on to their parents/carers and will support them to do this unless it would be unsafe for us to do so.

## **22. Records**

**22.1** It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the member of staff's personal and confidential file.

## **23. Monitoring Effectiveness**

**23.1** Where an allegation has been made against a member of staff, the nominated Governor, together with the Senior Lead Manager for Safeguarding should, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of the College's procedures and/or policies. Consideration should also be given to the training needs of staff.

## **24. Recruitment and Selection Procedures**

**24.1** The College will have in place recruitment procedures which will ensure that every care is taken to ensure that adults are protected from unsuitable people. The recruitment procedures will apply to all staff and volunteers within the College who may work with Adults at Risk. The recruitment procedures will include the following:

- The post or role will be clearly defined.
- The key selection criteria for the post or role will be identified.
- The requirement to produce documentary evidence of academic/vocational qualifications.
- Obtaining professional and character references

- Verification of previous employment history
- *DBS* checks
- Use of a variety of selection techniques (e.g. qualifications, previous experience, interview, reference checks).

**24.2** Recruitment and Selection processes are designed to assist managers to recruit and select the best candidates for a vacancy. The College takes account of all relevant legislation.

In addition to the above, all applicants will:

- complete a Lewisham Southwark College application form
- be asked about significant gaps in their CV/application form

## **25 Concerns**

**25.1** Where concerns are raised regarding a member of staff's suitability to work with children, young people or 'Adults at Risk', all relevant checks must be undertaken again as if they were joining the organisation.

Where the candidate:

- has been barred from working with children, young people or Adults at Risk
- has provided false information, on or in support of, his or her application
- is a cause for concern with regard to their suitability to work with children, young people or Adults at Risk

**25.2** The facts will be reported to the *Disclosure and Barring Service*.

## **26. Code of Behaviour on 'Adults at Risk' Protection for Lewisham Southwark College**

**26.1** Lewisham Southwark College recognises that it is not practical to provide definitive instructions that would apply to all situations at all times whereby staff come into contact with 'Adults at Risk' and to guarantee the protection of 'Adults at Risk' and staff. However, below are the standards of behaviour required of staff in order to fulfil their roles and duty of care within the College. This code should assist in the protection of both 'Adults at Risk' and members of staff. This code also applies to volunteers working with 'Adults at Risk'.

### **26.2 Staff must:**

- implement the 'Adults at Risk Protection Policy and Procedure' at all times, including acting to promote the welfare of all students, prevent abuse and report any abuse discovered or suspected.

### **26.3 Staff must never:**

- engage in rough, physical games including horseplay with Adults at Risk
- allow or engage in inappropriate touching of any kind.
- do things of a personal nature for Adults at Risk that they can do for themselves
- physically restrain an adult at risk unless the restraint is to prevent physical injury of the adult/other adults/visitors or staff/yourself. **In all circumstances physical restraint must be appropriate and reasonable, otherwise the action can be defined as assault.**
- make sexually suggestive comments to or within earshot of an adult at risk

- have Adults at Risk on their own in a vehicle. Where circumstances require the transportation of Adults at Risk in their vehicle, another member of staff/ volunteer must travel in the vehicle. Also it is essential that there is adequate insurance for the vehicle to cover transporting Adults at Risk as part of the business of your work. In extreme emergencies (for medical purposes) where it is required to transport an adult at risk on their own, it is essential that another manager and the parent/carer is notified immediately
- take an adult at risk to the toilet unless another member of staff is present or has been made aware (this may include a parent, teacher)
- spend time alone with an adult at risk on his/her own, outside of the normal tutorial/ classroom situation. If you find you are in a situation where you are alone with an adult at risk, make sure that you can be clearly observed by others
- engage in a personal relationship with an adult at risk student, or an adult at risk who becomes a student, beyond that appropriate for a teacher/learner relationship. This includes the use of personal Facebook accounts (further information can be found in the Computer, Internet and Social Networking Policy).

**26.4** The College also has a Staff Charter (Code of Conduct) which staff including volunteers are expected to follow. Failure to do so may result in disciplinary action.

**26.5** *Staff who breach the above may be subject to the College's staff disciplinary procedure. If an allegation against a member of staff has occurred then an investigation will be carried out in accordance with the College procedures. The investigating officer will be required to liaise with the Adult at Risk Designated Safeguarding Officer to clarify if she/he has any relevant records or any other adult at risk protection information in relation to the individual.*

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