



## Safeguarding Children and Vulnerable Adults policy

This policy covers the safeguarding arrangements in relation to people working with children and vulnerable adults. It sets out the way Eden Training meets the requirements of the **Disclosure and Barring scheme (DBS)** implemented by the **Independent Safeguarding Authority (ISA)**. Other matters relating to Safeguarding are covered by Eden Training's Child Protection policy and Protection of Vulnerable Adults policy.

### **Links with other policies**

- Equality policy
- Child Protection policy
- Protection of Vulnerable Adult policy
- Learners with disabilities (confidentiality) policy
- Confidential reporting policy
- Protection from Bullying and Harassment policy
- Health & Safety policy
- Drug & Alcohol policy

Eden Training takes seriously its responsibility to ensure children and vulnerable adults are safeguarded and recognises that this is a responsibility everyone shares, the safety and welfare of our learners is of the utmost importance.

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

To achieve this we have in place arrangements to minimise risk – which this policy is part of. We also have arrangements to address concerns that arise and these are covered in the Child Protection and Protection of Vulnerable Adults policies. We have decided to maintain separate policies to ensure there is clarity about what action should be taken in relation to children and young people (under 18) and in relation to adults (over 18). This is because adult and children services have different routes for referral and services.

Eden Training operates within the requirements of the Disclosure and Barring Service (DBS) (2012).

It is a criminal offence for individuals barred by the DBS to work or apply to work with children or vulnerable adults in a wide range of posts including education and childcare. Employers also face criminal sanctions for knowingly employing a barred individual across a wider range of work.

Eden Training has always requested DBS checks for its entire staff. This is now undertaken as part of the DBS scheme. It is also checked that managers at a workplace where our learners attend also have an enhanced DBS check.

Since 2010 it has been compulsory for anyone wanting to work with children or vulnerable adults to be registered (formerly with ISA now DBS). Eden Training therefore has a legal obligation not to employ anyone who is not DBS registered.

The way we will do this is:

The responsible person within Eden Training for ensuring DBS checks are requested is the Early Years Manager.

The person responsible for ensuring no-one is employed without appropriate registration and satisfactory DBS check is the Managing Director, Judith Saxon

### **Referrals of concerns to DBS**

Part of the safeguards include a duty to make referrals to the Disclosure and Barring Service where Eden Training considers it has pertinent information about a person who has caused harm or posed risk of harm to children or vulnerable adults.

The Designated Safeguarding Lead or Deputy in relation to the Child Protection policy or Protection of Vulnerable Adults policy will be responsible for deciding whether and when a referral to the DBS is appropriate.

### **LEGAL CONTEXT AND FRAMEWORK**

Eden Training policies and procedures supplement and accord with the SET (Southend, Essex and Thurrock) procedures, which have been adopted by the Local Safeguarding Children Boards (**now Local 'Safeguarding Partners'**).

Eden Training takes into consideration the following statutory provisions:

- Children Act 1989
- Children Act 2004

- Section 175 of the Education Act 2002
- Disclosure and Barring Service 2012
- Safeguarding Vulnerable Groups Act 2006

Eden Training also follows the guidance documents:

- Working Together To Safeguard Children (HM Government, 2018).
- DfES guidance – “Safeguarding Children and Recruitment in Education” (DfES 2012)
- “What to do if you’re worried a young person or vulnerable adult is being abused” (Department of Health, 2006)
- SET Young person or vulnerable adult Protection Procedures (SET Local Safeguarding Boards, online)
- Information Sharing advice for practitioners providing safeguarding services to children, young people, parents and carers (HM Government, 2015)
- What to do if you are worried a child is being abused (HM Government, 2015)
- Keeping Children Safe in Education (2019)

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

## **DEFINITIONS**

Designated Safeguarding Lead (DSL): Managing Director – Judith Saxon  
Designated Safeguarding Deputy: Christina Wright

## **KEY CONCEPTS**

### **Significant harm**

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

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

Under s.31 (10) of the Act, where the question of whether harm suffered by the young person is significant on the young person’s health and

development, his/her health and development shall be compared with that which could reasonably be expected of a similar young person.

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

### **Abuse and neglect**

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

Young people and vulnerable adults may be abused or neglected through the infliction of harm, or through the failure to act to prevent harm. Abuse can occur within the family or in an institution or community setting. Abuse can occur within all social groups regardless of religion, culture, social class or financial position. Young people and vulnerable adults may be abused by those known to them or, more rarely, by a stranger. They may be abused by an adult/s or another young person/people or vulnerable adult/s.

Working Together to Safeguard Children 2018 sets out definitions and examples of the broad categories of abuse:

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

## **PROFESSIONAL RESPONSE**

### **The Designated Safeguarding Lead and Deputy**

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

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

- Liaising with Social Care Services, Local Safeguarding Children Boards (now, 'Safeguarding Partners'), the Police and other agencies to refer individual cases of suspected or identified abuse, neglect or such allegations
- Acting as the key contact person within Eden Training

- Knowing how to make an appropriate referral and then to liaise with local authorities to seek advice on how best to deal with specific cases
- Being responsible for co-ordinating action within Eden Training on safeguarding issues
- Where appropriate, liaising with staff to share information, but only on a 'need to know basis', to protect the rights of confidentiality
- Overseeing the planning of any provision managed by Eden Training, e.g. ensuring an effective approach to dealing with bullying and harassment
- Representing Eden Training at safeguarding meetings where appropriate
- Raising awareness about safeguarding and ensure all staff are familiar with the internal processes and receive basic training in safeguarding issues
- Providing advice and support to other staff on issues relating to child protection
- Maintaining a proper record of any safeguarding referral, complaint or concern (even where that concern does not lead to a referral)
- Liaising with agencies as appropriate
- Dealing with individual cases, including attending case conferences and review meetings as appropriate
- Where an inter-agency safeguarding plan is in place, ensuring Eden Training is involved in, if necessary, the preparation of the plan and ensuring Eden Training's role is clearly defined. This will include any involvement with the Multi-Agency Public Protection Arrangement (MAPPA)
- Ensuring that staff receive basic training in safeguarding issues and are aware of the Eden Training safeguarding processes
- Providing first-line advice to staff and learners on safeguarding matters
- Liaising to agree and implement actions relating to individual safeguarding cases
- Advising on any improvements that should be introduced to improve the procedures relating to safeguarding
- Supporting the processes of briefing and training staff on matters relating to safeguarding.

## **DEALING WITH DISCLOSURE OF ABUSE & PROCEDURE FOR REPORTING CONCERNS**

### **Confidentiality**

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

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

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

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

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

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

### **Acting upon disclosure**

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

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

Where the DSL is not available, the Designated Safeguarding Deputy (DSD) will collate the relevant information and discuss the case with an external agency and organise a referral to the relevant agency if necessary.

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

### **Reporting Externally**

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

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

- Cause of concern including details of any allegations, their sources, timing and location
- Young person's current location and emotional and physical condition

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

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

### **Investigation of a case**

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

### **Reporting concerns about non-learners**

It is recognised that assessors may, from time to time, witness the unfair treatment of a young person or vulnerable adult whilst visiting learners. Eden Training has a duty of care to report incidents to relevant authorities. If a member of staff is concerned about the welfare of a young person or vulnerable adult they should contact the DSL. If deemed appropriate, the DSL will contact Social Care of the area in which the young person or vulnerable adult lives or is found (i.e. the employer's address).

### **Making written notes**

A member of staff must make a written record of their concerns at the earliest opportunity – recording relevant facts accurately and clearly. Do not make any assumptions or confuse fact with opinion. When recording discussions that took place regarding the case, members of staff should try to record accurately what was said. Where possible, the actual words that were said should be recorded. Any notes must be given to the DSL as soon as possible to be held in the Incident file to ensure accuracy in recalling events later.

### **Records**

The DSL will retain a copy of:

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