



Safeguarding Learner & Vulnerable Adult Protection Policy

Version 1.3

June 2021

Overall responsibility of:

- External Safeguarding Consultant

Safeguarding Learner & Vulnerable Adult Protection Policy

Principles

This policy will have in place inclusive and integrated, “safer” practices that promote and ensure the safety and well-being of all learners, while recognising the importance of having in place particular procedures and practices in support of groups of learners that are or become vulnerable.

Our policy will provide the framework for promoting and ensuring the safeguarding and protection of all learners at or associated with Training Skills UK.

Training Skills UK will maintain procedures and practices which safeguard and promote the wellbeing of all its learners by identifying and applying best practice within the sector and ensuring that the Learner Safeguarding Policy and Procedures comply with legislative requirements and government recommendations.

Learner Safeguarding Policy Statement

To ensure that comprehensive and effective safeguarding practices exist within Training Skills UK and that a culture of adherence to and continuous development of those practices is established and maintained, Training Skills UK will:

- Require all staff to provide and assure a safe environment for learners at all times.
- Establish and maintain procedures and practices which minimise risks to all learners.
- Publish and promote the right of every learner to work within a safe and cooperative learning and working environment.
- Provide information and educate learners to equip them with awareness about how to stay safe.
- Provide training to maintain the awareness of all staff so that they recognise and react responsibly to apparent and potential instances of abuse or neglect of learners.
- Articulate and maintain procedures for identifying, investigating and reporting cases (or suspected cases) of abuse or potential for harm to learners.
- Collaborate and cooperate with external agencies to establish, maintain and coordinate procedures and arrangements for ensuring the safety of the learners, keeping the welfare of the learner at the centre of any action taken.

Policy and Statutory Framework

1.0 Policy Statement

- 1.1 Training Skills UK will carry out its responsibilities under all relevant legislation, regulations and formal guidance for the protection of learners and vulnerable adults.
- 1.2 Training Skills UK hold as one of its highest priorities the health, safety and welfare of all learners and vulnerable adults involved in courses or activities which come under their responsibility.
- 1.3 Training Skills UK and its staff have a collective and individual duty to ensure that its staff fulfills their responsibilities to safeguard and promote the welfare of learners and vulnerable adults, and to prevent learner abuse and to report any abuse discovered or suspected.
- 1.4 Training Skills UK will advise learners and vulnerable adults who are students about the standards of behaviour and conduct they can expect from staff and volunteers and of what to do if they experience or suspect abuse.
- 1.7 Training Skills UK recognises that any learner and vulnerable adult can be subject to abuse and all allegations of abuse will be taken seriously and treated in accordance with the Company’s procedures.
- 1.8 Training Skills UK recognises that it is the responsibility of all staff to act upon any concern no matter how small or trivial it may seem.

- 1.9 Training Skills UK recognises its responsibility to implement, maintain and regularly review the procedures that are designed to prevent or notify suspected abuse.
- 1.10 Training Skills UK requires all staff to follow the Code of Behaviour on Learners and Vulnerable Adult Protection, which is appended to this policy document, and will draw the attention of staff to this code of conduct and procedures in induction and relevant training.
- 1.11 Training Skills UK is committed to supporting, resourcing and training those who work with, or who come into contact with, learners and vulnerable adults and to providing appropriate supervision.
- 1.12 Training Skills UK will prepare and implement an action plan to ensure that it fulfills its duties to protect learners and vulnerable adults.

2. Scope

This policy deals with the protection of learners and vulnerable adults.

3. Monitoring and Review

This policy will be monitored through update reports presented to the Senior Management Team, reviewed **annually or as required by change**.

Learner and Vulnerable Adult Protection Procedures

1. Purpose

The purpose of these guidelines is to ensure that the rights of learners and vulnerable adults are protected through staff awareness of the issues and the following of the statutory and local guidelines in the reporting of concerns. It is the responsibility of all staff working within Training Skills UK to record and report any concerns, i.e. where they believe a learner has been or is at risk of abuse, neglect or significant harm. This responsibility extends to all staff.

2. Definition of terms

The Learner and Vulnerable Adult Protection Policy describes the support and protection procedures for all learners, or vulnerable learners, who may be “at risk” of abuse.

2.1 The definition of a “learner”

“Learner” is defined as all people undertaking a qualification with Training Skills UK.

2.2 The definition of a “Vulnerable Adult”

“Vulnerable Adult” is defined as, “a person who is, or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation”, in accordance with County Council's adult protection procedures.

3. Categories of Abuse

Learners can be potentially abused within the family, community, and in organisations by employees (including those employed to promote their welfare and protect them from abuse), volunteers, visitors, and fellow students, the following are broad categories of abuse.

Physical Abuse: may involve hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a learner and vulnerable adult. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a learner and Vulnerable Adult who they are looking after. This is commonly described using terms such as 'fictitious illness by proxy' or 'Munchausen's syndrome by proxy'.

Emotional Abuse: is the persistent emotional ill-treatment of a learner or vulnerable adult such as to cause severe and persistent effects on the learner and vulnerable adult's emotional development. It may involve conveying to learners or vulnerable adults that they are worthless and unloved, inadequate, or valued only so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed in learners and vulnerable adults. It may involve causing learners or vulnerable adults frequently to feel frightened or in danger, or the exploitation or corruption of learners and vulnerable adults. Some level of emotional abuse is involved in all types of ill-treatment of a learner or vulnerable adult, though it may occur alone.

Sexual Abuse: involves forcing or enticing a learner or vulnerable adult to take part in sexual activities, whether or not the learner or vulnerable adult is aware of what is happening. The activities may involve physical contact, including penetrative (eg. rape) or non-penetrative acts. They may include non-contact activities, such as involving learners or vulnerable adults in looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging learners or vulnerable adults to behave in sexually inappropriate ways.

Neglect: is the persistent failure to meet the learners or vulnerable adult's basic physical and/ or psychological needs, likely to result in the serious impairment of the learner or vulnerable adult health or development. It may involve carer failing to provide adequate food, shelter and clothing, failure to protect a learner or vulnerable adults from physical harm or danger, or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a learner or vulnerable adults' basic emotional needs.

Significant Harm: Some learners or vulnerable adults may be in need because they are suffering or likely to suffer significant harm.

Financial Abuse: Some learners and vulnerable adults may be abused or exploited financially including fraud and extortion.

4. External Safeguarding Consultant, Deputy and Advisors

All schools, colleges and providers are required to have a designated member of staff, who is assigned to act upon learner and vulnerable adults protection concerns.

At Training Skills UK this person is called the External Safeguarding Consultant and is responsible for co-ordinating action within the organisation and liaising with other agencies. The External Safeguarding Consultant is: Natasha Crabbe.

The External Safeguarding Consultant is required to know:

- how to identify the signs and symptoms of abuse and when to make a referral
- the local Learner and Vulnerable Adult protection procedures and the
- role within them
- the role and responsibilities of the investigating agencies and how to liaise with them
- the requirements of record keeping

5. Advice to Staff on When to Take Action & How

Once you suspect or know of any abuse of any learner or vulnerable adult, you should immediately inform the External Safeguarding Consultant in person or by telephone. Even if you have only heard rumors of abuse, or you have a suspicion but do not have firm evidence, you should still contact the External Safeguarding Consultant to discuss your concerns. You should also contact the External Safeguarding Consultant if you know or suspect that a member of staff or student has a previous history of abuse of learners and/or vulnerable adults.

If, following your initial contact with the External Safeguarding Consultant it is decided that the matter should be taken further; a written report must be prepared. A written report is essential to prevent any misrepresentation of your findings, and should be sent to the External Safeguarding Consultant within 24 hours of the suspicion arising. The report should be factual and should not include opinions or personal interpretations of the facts presented. The report should contain as much detail as possible, including any apparent physical signs of abuse or other circumstances which led to your suspicions, or the account given to you of abuse by the learner or vulnerable adult concerned, as accurately as you are able to record it. The report should be signed, dated and a copy stored in a secure place. If you are unsure about what to write, you can get advice from the External Safeguarding Consultant.

If a learner or vulnerable adult comes to you with a report of apparent abuse, you should listen carefully to the learner or vulnerable adult, using the following guidelines. When listening to a learner or vulnerable adult staff must:

- allow the learner or vulnerable adult to speak without interruption.
- never trivialise or exaggerate the issue.
- never make suggestions.
- never coach or lead the learner or vulnerable adult in any way
- reassure the learner or vulnerable adult, let them know you are glad they have spoken up and that they are right to do so.

- always ask enough questions to clarify your understanding, do not probe or interrogate.
- no matter how well you know the learner or vulnerable adult – spare them having to repeat themselves over and over.
- be honest – let the learner or vulnerable adult know that you cannot keep this a secret; you will need to tell someone else.
- try to remain calm – remember this is not an easy thing for them to do.
- 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 learner or vulnerable adult know that you are taking the matter very seriously.
- make the learner or vulnerable adult feel secure and safe without causing them any further anxiety.

The External Safeguarding Consultant will be responsible for recording essential information about each case and for collecting reports and notes as appropriate.

6. What Happens Next?

Considering all the information available, the External Safeguarding Consultant will decide on the next steps, which may include taking no further action. Where the External Safeguarding Consultant decides that further action is necessary, this may be to:

- Seek further advice from The Learner's Trust
- Make a referral to the appropriate agency, as signposted.
- Report the incident to a designated Social Worker, as signposted.
- Report the matter to the police if a crime is suspected.
- If a referral is made, this must be confirmed in writing to the appropriate agency within 24 hours.

The External Safeguarding Consultant may consider that those involved may require counselling. Where it is felt there is a need for counselling (which could be for the learner/s, other students, staff, parents or carers involved) the External Safeguarding Consultant will make the necessary arrangements.

7. Confidentiality

Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety of the learner and vulnerable adults is the overriding concern. The degree of confidentiality will be governed by the need to protect the learner or vulnerable adults. The learner or vulnerable adults should be informed at the earliest possible stage of the disclosure that the information will be passed on. All conversation regarding a learner or vulnerable adults should always be held in private. Training Skills UK complies with the requirements of the Data Protection Act 1998, which allows for disclosure of personal data where this is necessary to protect the vital interests of a learner and vulnerable adults.

Whatever happens, you should always be open and honest with the learner or vulnerable adult if you intend to take the case further.

Staff must not discuss the case with anyone other than those involved in the case. If staff have any concerns about the progress of the case or have any other concerns these must be discussed with the External Safeguarding Consultant.

8. Allegations Against Staff

The primary concern of the Company is to ensure the safety of the learner and vulnerable adults. It is essential in all cases of suspected abuse by a member of staff, that action is taken quickly and professionally whatever the validity. There are occasions where a learner or vulnerable adult will accuse a member of staff of physically or sexually abusing them. In some cases, this may be false or unfounded. However, in some cases the allegations may be true. Any instance of a learner or vulnerable adults being abused by a member of staff is particularly serious. On the other hand, for an innocent person to be accused of such an act is a serious ordeal which can result in long term damage to their health and career. In the event that any member of staff suspects any other member of staff of abusing a student, it is their responsibility to bring these concerns to the CEO and the External Safeguarding Consultant.

On being notified of any such matter the External Safeguarding Consultant shall:

- Notify the CEO
- Take such steps as s/he considers necessary to ensure the safety of the learner or vulnerable adult in question and any other learner or vulnerable adult who might be at risk
- Report the matter to the local social services department.
- Ensure that a report of the matter is completed by the person who reported the original concern.

If the allegation concerns the CEO, the matter should be discussed with the External Safeguarding Consultant who will discuss it with the Decisions Board, in addition to following the normal procedures for Learners and Vulnerable Adults Protection. If the allegation concerns the External Safeguarding Consultant the matter should be discussed with the CEO, who will discuss it with the Decisions Board in addition to following the normal procedure for Learner and Vulnerable Adults Protection.

Code of behaviour on learner and vulnerable adult's protection for Training Skills UK staff

Training Skills UK 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 learner and vulnerable adults and to guarantee the safeguarding and protection of learner and vulnerable adults and staff.

However, below are the standards of behaviour required of staff in order to fulfill their roles and duty of care within the group. This code should assist in the safeguarding and promotion of the welfare of learner and vulnerable adults and in the protection of both learner and vulnerable adults and members of staff.

Staff must:

Implement the Learner and Vulnerable Adults Protection Policy and Procedures at all times, including acting to promote learner and vulnerable adults welfare, prevent abuse and report any abuse discovered or suspected.

Staff must never:

- engage in rough, physical games including horseplay with learners and vulnerable adults/ students.
- allow or engage in inappropriate touching of any kind. The main principles of touch are:
 - touch should always be in response to the learner or vulnerable adult's need
 - touch should always be appropriate to the age and stage of development of the learners or vulnerable adults.
 - touch should always be with a learners or vulnerable adult's permission
- do things of a personal nature for learner or vulnerable adult that they can do for themselves or that their parent can do for them.
- Physically restrain a learner or vulnerable adult unless the restraint is to prevent physical injury of the learner and vulnerable adults/other learner/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 a learner or vulnerable adult.
- have learners or vulnerable adults on their own in a vehicle. Where circumstances require the transportation of learners or vulnerable adults in their vehicle, another member of staff must travel in the vehicle. Also it is essential that there is adequate insurance for the vehicle to cover transporting learners or vulnerable adults as part of the business of your work. In extreme emergencies (for medical purposes) where it is required to transport a learner or vulnerable adult on their own, it is essential that another leader and the parent is notified immediately
- take a learner or vulnerable adult to the toilet unless another adult is present or has been made aware (this may include a parent, group leader)
- spend time alone with a learner or vulnerable adult on his/her own, outside of the normal tutorial/ classroom situation. If you find you are in a situation where you are alone with a learner or vulnerable adult, make sure that you can be clearly observed by others.

- engage in a personal relationship with a learner or vulnerable adult/student, or a learner or vulnerable adult who becomes a student, beyond that appropriate for a normal teacher/ student relationship.

Implications for staff

Staff who breach any of the above may be subject to the disciplinary procedure. If an allegation against a member of staff has occurred, then an investigation will be carried out.

Training Skills UK reserves the right to suspend any member of staff under the Learner and Vulnerable Adult Protection Policy to safeguard young people and Vulnerable Adults whilst an internal and/or external investigation takes place. The company can implement its own internal investigation during any stage of this process. This may result in disciplinary action being taken on a member of staff.

Suspension of staff under the Learner and Vulnerable Adult Protection procedure.

Should the company implement the Learner and Vulnerable Adult Protection Procedure and decide to suspend the employee; the following procedure will be undertaken:

- a) The employee concerned will be required to attend a meeting with the CEO. The employee will have the opportunity to be accompanied by a colleague, or a trade union representative.
- b) During the meeting, the employee will be provided with written confirmation of the suspension, and the opportunity to ask any questions with regards to the contents of the letter.
- c) If the suspension is subject to external investigation, the Company management representatives will be unable to discuss the details of any allegations made under the Learner Protection Act (1999).

Disclosure and Barring Service

Under the Learner Protection Act 1999 (Section 7) Training Skills UK is designated as a learner care organisation. This means that all staff, prospective employees and students on placements that come into contact with learner must be checked with the Disclosure and Barring Services to prevent individuals considered unsuitable to work with learner, gaining employment at Training Skills UK.

To meet these requirements, Training Skills UK will ensure that ALL new members of staff, training, or non-training will undergo DBS clearance. As this process can take up to four months, Training Skills UK will ask all new employees to sign a declaration, stating that they are not aware of any convictions that could hinder their employment at the Company. Further to this, all managers will be asked to keep members of staff waiting for clearance under observation. It is also apparent that Training Skills UK has employees in differing roles that do not currently have DBS clearance. To ensure that Training Skills UK meets the requirements set out in the Learner and Vulnerable Adult Protection Policy (updated Aug 07), the company will now seek to obtain DBS clearance for every member of staff working on a full time, part time basis. To support this process, the updated Learner and Vulnerable Adult Protection Policy and Procedure will be issued to every member of staff, and Learner and Vulnerable Adult Protection briefing sessions will be held to communicate the policy and implications of the 1999 Learner Protection Act.



Training Skills UK – Safeguarding Learner and Vulnerable Adults Disclosure/Concern Form

Safeguarding Officer: Natasha Crabbe and Reserve: Kashmir Abalos

Learner's Name:		Date of Birth:	
Address:			
Programme Attended:			

BRIEF DETAILS OF THE ALLEGATIONS/DISCLOSURE/CONCERN Use the learners own words (factual information only. What happened? Who was involved? When did it happen? Where did it happen? How did it happen?)

Date & Place of Disclosure/Concern:		Date:	
Member of Staff Name:		Date:	
Member of Staff Signature		Date:	
Learner's Signature		Date:	

Training Skills UK – Learner and Vulnerable Adult Protection Questionnaire

1. What is the definition of a Vulnerable Adult?

2. What is the definition of a Learner?

3. Name the possible categories of abuse.

4. What is the role of the Learner and Vulnerable Adult Protection Manager

5. Should you investigate the matter yourself?

6. What must you do within 24 hours if the Learner and Vulnerable Adult Protection Manager decides an issue should be taken further?

7. List 5 ways in which you should or should not behave if a client discloses something to you that may need to be reported in line with the Policy?

8. If a learner asks you to keep a secret relating to a disclosure, what should you do?

9. Are you allowed to tell your line manager the detail about a disclosure?

10. When working with learners and vulnerable adults, how are you to behave and what must you never do?