



Safeguarding Adults Policy and Procedure

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Important contacts

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This Policy defines the arrangements and procedures in place within The Learning Sanctuary that ensures the safeguarding of adult at risks from neglect, abuse, avoidable harm and exploitation.

This Policy is intended to comply with the requirements of the Health & Social Care Act 2008, the Human Rights Act 1998 and Care Act 2014, as they apply to The Learning Sanctuary's business:

Alignment with North Yorkshire Safeguarding Adults arrangements: This policy is to be read and applied alongside the current West Yorkshire, North Yorkshire and City of York Joint Multi-Agency Safeguarding Adults Policy and Procedures. Where that multi-agency policy or statutory guidance sets a higher or different requirement, The Learning Sanctuary will follow the current statutory/local multi-agency requirement.

1. POLICY PRINCIPLES:

1.1 It is the Policy at The Learning Sanctuary to develop and implement procedures and strategies which are designed to safeguard adult at risks from neglect, abuse, avoidable harm and exploitation. These strategies will:

- identify who is at risk;
- identify what is interpreted as abuse;
- identify the types of abuse that can occur;
- promote staff awareness of the common indicators associated with each type of abuse;
- prevent persons who do not possess a valid *DBS Disclosure* from being recruited;
- specify the procedures to be followed in the event of alleged or suspected abuse (a "Concern").

1.2 At the beginning of the contract for each individual who will be placed in The Learning Sanctuary's care, a risk assessment will have been carried out to identify situations where the adult may be placed at undue risk within The Learning Sanctuary and all encompassed activities that they may participate in.

Should this assessment identify situations where the adult is considered to be especially at risk through their vulnerability, then an additional Risk Assessment will be carried out as detailed in section 3.2 of this Policy.

1.3 This Policy will be supported by specialised staff Training Programmes as an on-going process, and The Learning Sanctuary's *Whistleblowing Policy*.

2. NEGLECT / ABUSE OF VULNERABLE ADULTS (ADULTS AT RISK) – INDICATORS

Neglect is a state of being uncared for, or a failure to be cared for properly.

2.1 Definitions of Abuse:

2.1.1 Abuse is a violation of an individual's human or civil rights by any other person or persons. For vulnerable adults this will focus upon others who have influence over them.

2.1.2 These violations may be intentional or unintentional.

2.1.3 These violations may be a single act, or a repetition of acts over a period of time.

2.2 Definition of a Adult at Risk, or Adult at Risk:

2.2.1 A person aged 18 or over, who has been assessed to have needs of community care services and support, AND who is experiencing abuse, or is judged to be at risk of abuse and neglect, AND who is, or may be, unable to protect themselves from the risk, or experience, of significant harm, abuse or exploitation.

2.2.2 This will apply whether or not the local authority is meeting any of these care and support needs.

2.3 Implications for Standards of Care:

2.3.1 Neglect / Abuse reflects a lack of respect for an individual and is an infringement of their legal rights.

2.3.2 This may be considered to be an abuse of power and may constitute a criminal act.

2.3.3 It is the treatment of an individual which causes significant harm and can result in the deterioration of a person's physical, emotional, social and behavioural development.

2.4 Inflictions of Neglect / Abuse:

Neglect / Abuse can be inflicted by the following persons:

- third party – identity unknown
- self-inflicted abuse (this will include substance abuse and deliberate self-neglect);

- other parties in a professional or personal relationship (this will include those who deliberately set out to exploit vulnerable persons and whom the adult regards to be in a position of trust)

2.5 Categories of Neglect / Abuse:

(Reference Statutory Guidance *Care Act 2014*)

For the purposes of this Policy, *neglect / abuse* is classified into the following categories (however it can take many forms depending upon individual circumstances)

- (1) Physical** – can include assault, misuse of medication, restraint, inappropriate physical sanctions, hitting, slapping, pushing, kicking
- (2) Social** – can include abuse of drugs or medicines for social purposes, inappropriate use of restraint, “mate” crime grooming
- (3) Institutional / Organisational** – can include neglect and poor care practice, poor professional standards within an institution or care setting
- (4) Sexual** – can include inappropriate looking / touching, rape, indecent exposure, sexual harassment, teasing, innuendo or photography, assault, pressured into non-consensual sexual acts (exploitation), exposure to pornography or witnessing sexual acts
- (5) Psychological / Emotional** – can include humiliation, threats of harm or abandonment, harassment, coercion, blaming, cyber-bullying, deprivation of contact, controlling, intimidation, verbal abuse, isolation, unjustified withdrawal of services / supportive network
- (6) Sectarian** – display of inappropriate flags or emblems, withholding access to appropriate Ministers of Religion, offensive remarks regarding religious beliefs
- (7) Financial / Material** – can include theft, misuse of property, finances or benefits, possessions, fraud, internet scamming, coercion of financial affairs, arrangements, transactions
- (8) Neglect / Omission** – can include withholding necessities of life, care, support and educational needs, ignoring medical, emotional, physical needs
- (9) Self-Neglect** – can cover a wide range of behaviours neglecting to care for one’s hygiene, health and environment, self-abuse; *8 categories of self-neglect have been identified*
- (10) Discrimination (harassment / slurs / verbal)** – can include racism, ageism, sexism, culture, disabilities, gender, sexual orientation etc.
- (11) Domestic Violence** – can include psychological, physical, sexual, financial, emotional, ‘honour’-based violence, grooming, patterns of controlling, threatening or coercive behaviour, violence or abuse by someone who is an intimate partner or family member
- (12) Modern Slavery** – can include human trafficking, slavery, forced labour and domestic servitude, being coerced / deceived / forced into a life of abuse / servitude / inhuman treatment.

2.6 Symptoms / Indicators of Abuse:

The Learning Sanctuary staff will receive appropriate training in the detection of abuse through symptoms, indicators and behaviour of the adult. These indicators are summarised as follows:

2.6.1 Physical Abuse (intentional or unintentional):

- bruises;

- injuries inconsistent with explanations offered;
- clusters of injuries;
- burns and scalds – particularly cigarette burns;
- pushing or rough handling of a vulnerable person;
- deprivation of food, clothing, warmth or basic health care needs;
- sudden / unexplained weight loss;
- dehydration;
- nervous / fearful watchfulness;
- fear of physical contact;
- female genital mutilation (abbreviated to “FGM”)

2.6.2 Social Abuse:

- over-medication (used for social control);
 - under-medication – being denied appropriate levels of medication or pain control;
 - the use of inappropriate restraint;
 - “mate” crime / grooming (deliberate befriending of a adult at risk for ultimate personal gain);
- #### **2.6.3 Institutional / Organisational Abuse:**
- one-off incidents in a care setting to on-going ill-treatment;
 - caused by neglect, or poor professional practice;

2.6.4 Sexual Abuse:

- scratching / soreness / pain / unexplained rashes in the genital areas;
- stained / bloodstained underclothes;
- bruises on inner thighs and buttocks;
- unexplained discomfort when sitting or walking;
- sexually transmitted diseases when not known to be sexually active;
- pregnancy when unable to consent, or when not known to be sexually active;

2.6.5 Psychological / Emotional Abuse:

- unwarranted fear of people and places;
- bed-wetting when incontinence has not been initially diagnosed;
- distrust of people;
- depression;
- emotional withdrawal;
- high levels of anxiety;

2.6.6 Sectarian Abuse:

- being exposed to flags, emblems or symbols deemed inappropriate or offensive to their beliefs;
- distrust / fearfulness of Ministers of Religion;

- withholding access to appropriate Ministers of Religion;
- slurs and offensive remarks regarding religious beliefs;
- emotional withdrawal, as perceived relevant to any of the above;

2.6.7 Financial / Material Abuse:

- sudden loss of cash or earnings;
- inability to afford basic service when the person is known to have financial means;
- theft of personal property;
- missing personal property (jewellery, cash, credit cards etc);
- where mental capacity has been deliberately mis-diagnosed (*Mental Capacity Act 2005*);
- third party cashing benefits which do not appear to benefit the adult;
- fraud involving wills, property and other assets;
- internet scamming;

2.6.8 Neglect / Omission:

- unauthorised withdrawal of basic care, support or educational services;
- persistent weight loss / emaciation / malnutrition;
- untreated bedsores, ulcers and other skin conditions;
- poor personal care;
- inadequate / inappropriate bedding / clothing;

2.6.9 Self-Neglect – *there are 8 recognised “categories” of Self-Neglect which can be indicated:*

- malnutrition / nourishment;
- living in squalor;
- poor personal hygiene;
- evidence of hoarding;
- substance abuse;
- lack of proper medication / effective treatment;
- ignoring personal administration issues (Utility Bills, services);
- refusing help / services;

2.6.10 Discrimination:

- evidence of racism, ageism;
- evidence of sexism;
- slurs and offensive remarks regarding gender, gender identity, sexual orientation;
- slurs and offensive remarks regarding ethnic origin, religion, culture, faith;
- discriminatory practices based upon the person’s disabilities;

2.6.11 Domestic Violence:

- evidence of violence or physical abuse by an intimate partner or relative;
- evidence of violence or psychological, sexual, or financial abuse by an intimate partner or relative;
- so-called “honour”-based violence;

2.6.12 Modern Slavery:

- evidence of coercion into a life of inhumane treatment (forced labour or domestic servitude);
- evidence of human trafficking;
- evidence of coercion into joining radical groups promoting violence;
- forced / arranged marriage (with appropriate regard to ethnic and cultural considerations);

3. ABUSE OF VULNERABLE ADULTS (ADULTS AT RISK) – PROCEDURAL REQUIREMENTS

3.1 Preventive Measures

3.1.1 The Learning Sanctuary's procedure for recruiting support staff includes a rigorous check, through the Disclosure & Barring Service (DBS), on the suitability of each individual who is being considered for recruitment into a support staff position where he / she may be supporting adult at risks. Please see Appendix 1: safer recruitment and DBS checks – policy and procedures

3.1.2 IN ACCORDANCE WITH STATUTORY REQUIREMENTS, THE LEARNING SANCTUARY WILL NOT RECRUIT ANY INDIVIDUAL WHO DOES NOT POSSESS AN ENHANCED DBS CERTIFICATE.

3.1.3 Per section 2.4 of this Policy each support worker will receive training in Awareness of Adult at Risk Abuse, and the measures to be taken if abuse is suspected. This will form an integral part of each staff member's on-going Training Plan.

3.2 Risk Assessments

A standard risk assessment will be undertaken prior to any adult placement at The Learning Sanctuary. Appendix 3

Where considered appropriate, to assess and quantify the risks of abuse relating to a adult, a Risk Assessment will be undertaken. This document provides for the following information to be recorded which will form the basis of any Action Plan that may be deemed appropriate:

This document provides for the following information to be recorded which will form the basis of any Action Plan that may be deemed appropriate:

3.2.1 Lists of the categories of abuse that may be relevant, reference clause 2.5 of this Policy.

3.2.2 Fundamental Risk Assessment information which will focus upon risk from 6 distinct standpoints:

- (1) The kind of harm that has been threatened or inflicted; the severity / seriousness of the incident, and whether children and / or other adult at risks are involved.
- (2) Any evidence that the abuse may be repeated or escalate.
- (3) The impact upon the person's independence, health and well-being.

- (4) Any evidence that the abuse was premeditated, and accompanied by threats, coercion or violence.
- (5) The length of time that the actual abuse has been happening, and whether there is a pattern of history for the adult at risk and / or the perpetrator alleged to be causing the harm.
- (6) The kind of support that the adult at risk normally requires.

3.3 Raising a Concern (Action to be taken in the event of alleged / suspected abuse)

This section of this Policy will be subject to the provisions of section 3.4: Assuring Adult at Risks.

3.3.1 The Director, Jenny Mills, is designated as the key contact person within The Learning Sanctuary with direct responsibility for investigating any concern relevant to an alleged or suspected incident of abuse. Any staff member with concerns regarding possible abuse of a adult at risk will report the matter directly to the Directors. Where it is suspected that such abuse may be caused by another staff member then reporting the matter will be done in accordance with the **Whistle-blowing Policy**

3.3.2 Reporting such matters will take into account the balance which needs to be maintained for the confidentiality of the adult's affairs and the duty of care to report suspected abuse.

3.3.3 In all cases, the Director is responsible for maintaining complete case records of the suspicions raised, or allegations made, including dates, times and persons involved, and action taken. This action may be of two types:

- **Corrective Action** – action to be taken against perpetrators involved in confirmed incidents of abuse, and the discreet and sensitive handling of the abused person.
- **Preventive Action** – strategies to be implemented with the objective of halting further abuse.

Where such cases have involved The Learning Sanctuary's staff, with resulting disciplinary measures taken, this will trigger a robust review of current practices and procedures to determine what additional protective measures, if any, need to be incorporated into The Learning Sanctuary's systems.

3.3.4 Incidents of alleged / confirmed abuse will be logged and reviewed by the Directors and necessary agencies

3.3.5 If a staff member witnesses abuse, they should intervene and challenge the behaviour only if it is safe to do so.

3.3.6 In all cases of disclosure, observation or suspicion, the staff member involved will follow the procedure summarised below:

- Stay calm, and listen carefully;
- Assure them that you believe them, and that they will be taken seriously;
- Explain to them that you will have to tell someone, and that it cannot be kept a secret;
- Reassure them that they were right to tell;
- Reassure them that it wasn't their fault;

- Where there is a possibility that forensic evidence may exist, protect the evidence – DO NOT CLEAN UP, or allow them to do so;
- Do not prompt them or ask for more details as this may contaminate evidence and hamper any criminal investigation and / or subsequent prosecution;
- Ascertain the facts – who? what? when? where? how?
- Do not ask leading questions. Use open questions like “anything else to tell me?”
- Make an immediate and accurate record of the allegations made and / or what has been observed, and any action taken;
- Record word-for-word what was said; try not to edit or change the words used;
- Use a black pen as the document may have to be copied. Sign and date the document. Record the location and details of anyone else who was present;
- Submit the report to the Director within 4 hours.

3.4 Assuring Adult at Risks:

The following essential principles will be upheld during any investigation of a concern involving a adult at risk. In summary, an adult at Risk will be assured that:

- their needs, views and well-being will be central to any investigation or enquiry;
- their civil and human rights, including the right to Self-Determination, will be upheld during any enquiry;
- they will have the same rights, and be supported to access the same services, as all other citizens;
- any enquiry or investigation, or planning done with them or on their behalf, will be multi-agency, and will access the best possible, and most appropriate resources;
- responses will be timely and proportionate;
- information about them will only be shared in accordance with approved and appropriate data-sharing policies;
- there is an established planning and reviewing process, central to which is their safeguarding;
- any actions needed as a result of the enquiry or investigation will be carried out, and individuals will be held to account for their actions.

Appendix 1 : Safer recruitment and DBS checks – policy and procedures

Recruitment and selection process

To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with children and adults have received appropriate safer recruitment training.

We have put the following steps in place during our recruitment and selection process to ensure we are committed to safeguarding and promoting the welfare of children and adults.

Advertising

When advertising roles, we will make clear:

The Learning Sanctuary's commitment to safeguarding and promoting the welfare of children and adults

That safeguarding checks will be undertaken

The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children and adults

Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account

Application forms

Our application forms will:

Include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children or adults (where the role involves this type of regulated activity)

Include a copy of, or link to, our child and adult protection and safeguarding policy and our policy on the employment of ex-offenders

Shortlisting

Our shortlisting process will involve at least 2 people and will:

Consider any inconsistencies and look for gaps in employment and reasons given for them

Explore all potential concerns

Once we have shortlisted candidates, we will ask shortlisted candidates to:

Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children or adults, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:

1. If they have a criminal history
2. Whether they are included on the barred list
3. Whether they are prohibited from teaching
4. Information about any criminal offences committed in any country in line with the law as applicable in England and Wales

5. Any relevant overseas information

Sign a declaration confirming the information they have provided is true

Seeking references and checking employment history

We will obtain references before interview. Any concerns raised will be explored further with referees and taken up with the candidate at interview.

When seeking references we will:

Not accept open references

Liaise directly with referees and verify any information contained within references with the referees

Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is school based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations

Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed

Secure a reference from the relevant employer from the last time the candidate worked with children if they are not currently working with children or adults

Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate

Resolve any concerns before any appointment is confirmed

Interview and selection

When interviewing candidates, we will:

Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this

Explore any potential areas of concern to determine the candidate's suitability to work with children and adults

Record all information considered and decisions made

Pre-appointment vetting checks

We will record all information on the checks carried out on The Learning Sanctuary's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

New staff

All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks. When appointing new staff, we will:

Verify their identity

Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service.

We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed we may keep a record of the fact that vetting took place, the result of the check and recruitment decision taken

Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available

Verify their mental and physical fitness to carry out their work responsibilities

Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards

Verify their professional qualifications, as appropriate

Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. Where available, these will include:

6. For all staff, including teaching positions: criminal records checks for overseas applicants
7. For teaching positions: obtaining a letter of professional standing from the professional regulating authority in the country where the applicant has worked

We will check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state

We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

Regulated activity means a person who will be:

Responsible, on a regular basis in The Learning Sanctuary, for teaching, training, instructing, caring for or supervising adults; or

Carrying out paid, or unsupervised unpaid, work regularly at The Learning Sanctuary, where that work provides an opportunity for contact adults; or

Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

Existing staff

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

There are concerns about an existing member of staff's suitability to work with children and adults; or

An individual moves from a post that is not regulated activity to one that is; or

There has been a break in service of 12 weeks or more

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or adult at risk where:

We believe the individual has engaged in relevant conduct; or

We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or

We believe the 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or adult at risk or put them at risk of harm); and

The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

Volunteers

We will:

Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity

Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity

Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment

Appendix 2: allegations of abuse made against staff

Section 1: allegations that may meet the harms threshold

This section applies to all cases in which it is alleged that a current member of staff, including a supply teacher, volunteer or contractor, has:

Behaved in a way that has harmed a child or adult, or may have harmed a child or adult, and/or

Possibly committed a criminal offence against or related to a child, or adult and/or

Behaved towards a child, adult or children, adults in a way that indicates he or she may pose a risk of harm to children/ adults, and/or

Behaved or may have behaved in a way that indicates they may not be suitable to work with children or adults – this includes behaviour taking place both inside and outside of The Learning Sanctuary

We will deal with any allegation of abuse quickly, in a fair and consistent way that provides effective child and adult protection while also supporting the individual who is the subject of the allegation.

A 'case manager' will lead any investigation. This will be the Director, or an independent person where the Director is the subject of the allegation. The case manager will be identified at the earliest opportunity.

Our procedures for dealing with allegations will be applied with common sense and judgement.

Suspension of the accused until the case is resolved

Suspension of the accused will not be the default position and will only be considered in cases where there is reason to suspect that a child / adult or other children/ adults is/are at risk of harm, or the case is so serious that there might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

Redeployment within The Learning Sanctuary so that the individual does not have direct contact with the child/ adult or children/ adults concerned

Providing an assistant to be present when the individual has contact with children/ adults

Redeploying the individual to alternative work in The Learning Sanctuary so that they do not have unsupervised access to children/ adults

If in doubt, the case manager will seek views from the designated officer at the local authority, as well as the police and children's / adults social care where they have been involved.

Definitions for outcomes of allegation investigations

Substantiated: there is sufficient evidence to prove the allegation

Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive, or to cause harm to the subject of the allegation

False: there is sufficient evidence to disprove the allegation

Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)

Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made

Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the case manager will take the following steps:

Conduct basic enquiries in line with local procedures to establish the facts to help determine whether there is any foundation to the allegation before carrying on with the steps below

Discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's/ adult's social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children/ adults or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)

Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children's / adult social care services, where necessary). Where the police and/or children's / adult social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies

Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children / adults at The Learning Sanctuary is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children's/ adults social care services, as appropriate

Where the case manager is concerned about the welfare of other children or adults in the community or the individual's family, they will discuss these concerns with the DSL and make a risk assessment of the situation. If necessary, the DSL may make a referral to children's / adult social care

If immediate suspension is considered necessary, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at The Learning Sanctuary and their contact details

If it is decided that no further action is to be taken in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation

If it is decided that further action is needed, take steps as agreed with the designated officer to initiate the appropriate action in The Learning Sanctuary and/or liaise with the police and/or children's/ adult social care services as appropriate

Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.

Inform the parents or carers of the child/children/ adult/ adults involved about the allegation as soon as possible if they do not already know (following agreement with children's/ adult social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice

Keep the parents or carers of the child/children/ adult/ adults involved informed of the progress of the case (only in relation to their child – no information will be shared regarding the staff member)

Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or adult at risk or if the individual otherwise poses a risk of harm to a child or adult

If The Learning Sanctuary is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the Teaching Regulation Agency.

Where the police are involved, wherever possible The Learning Sanctuary will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in The Learning Sanctuary's disciplinary process, should this be required at a later point.

Timescales

We will deal with all allegations as quickly and effectively as possible and will endeavour to comply with the following timescales, where reasonably practicable:

Any cases where it is clear immediately that the allegation is unsubstantiated or malicious should be resolved within 1 week

If the nature of an allegation does not require formal disciplinary action, appropriate action should be taken within 3 working days

If a disciplinary hearing is required and can be held without further investigation, this should be held within 15 working days

However, these are objectives only and where they are not met, we will endeavour to take the required action as soon as possible thereafter.

Specific actions

Action following a criminal investigation or prosecution

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's / adult social care services.

Conclusion of a case where the allegation is substantiated

If the allegation is substantiated and the individual is dismissed or The Learning Sanctuary ceases to use their services, or the individual resigns or otherwise ceases to provide their services, The Learning Sanctuary will make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, The Learning Sanctuary will consider whether to refer the matter to the Teaching Regulation Agency to consider prohibiting the individual from teaching.

Individuals returning to work after suspension

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child or children/ adult/ adults who made the allegation, if they are still attending The Learning Sanctuary's services.

Unsubstantiated, unfounded, false or malicious reports

If a report is:

Determined to be unsubstantiated, unfounded, false or malicious, the DSL will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to children's social care may be appropriate

Shown to be deliberately invented, or malicious, The Learning Sanctuary will consider whether any disciplinary action is appropriate against the individual(s) who made it

Unsubstantiated, unfounded, false or malicious allegations

If an allegation is:

Determined to be unsubstantiated, unfounded, false or malicious, the LADO and case manager will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to children's/ adult social care may be appropriate

Shown to be deliberately invented, or malicious, The Learning Sanctuary will consider whether any disciplinary action is appropriate against the individual(s) who made it

Confidentiality and information sharing

The Learning Sanctuary will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the LADO, police and children's/ adult social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children adult/ adults involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

Record-keeping

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case.

The records of any allegation that, following an investigation, is found to be malicious or false will be deleted from the individual's personnel file (unless the individual consents for the records to be retained on the file).

For all other allegations (which are not found to be malicious or false), the following information will be kept on the file of the individual concerned:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken, decisions reached and the outcome
- A declaration on whether the information will be referred to in any future reference

In these cases, The Learning Sanctuary will provide a copy to the individual, in agreement with children's/ adult social care or the police as appropriate.

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), or the Local Authority Safeguarding Adult Reviews (SARs) for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

References

When providing employer references, we will:

Not refer to any allegation that has been found to be false, unfounded, unsubstantiated or malicious, or any repeated allegations which have all been found to be false, unfounded, unsubstantiated or malicious

Include substantiated allegations, provided that the information is factual and does not include opinions

Learning lessons

After any cases where the allegations are *substantiated*, the case manager will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to The Learning Sanctuary's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

For all other cases, the case manager will consider the facts and determine whether any improvements can be made.

Non-recent allegations

Abuse can be reported, no matter how long ago it happened.

We will report any non-recent allegations made by a child or adult to the LADO or adult safeguarding team, in line with our local authority's procedures for dealing with non-recent allegations.

Where an adult makes an allegation to The Learning Sanctuary that they were abused as a child, we will advise the individual to report the allegation to the police.

Section 2: concerns that do not meet the harm threshold

This section applies to all concerns (including allegations) about members of staff, including supply teachers, volunteers and contractors, which do not meet the harm threshold set out in section 1 above.

Concerns may arise through, for example:

Suspicion

Complaint

Disclosure made by a child, parent or adult within or outside The Learning Sanctuary

Pre-employment vetting checks

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children and adult at risks

Definition of low-level concerns

The term 'low-level' concern is any concern – no matter how small – that an adult working in or on behalf of The Learning Sanctuary may have acted in a way that:

Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work,
and

Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the designated officer at the local authority

Examples of such behaviour could include, but are not limited to:

Being overly friendly with children or adult at risks

Having favourites

Taking photographs of children or adults on their mobile phone

Engaging with a child or adult on a one-to-one basis in a secluded area or behind a closed door

Using inappropriate sexualised, intimidating or offensive language

Sharing low-level concerns

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others

Empowering staff to share any low-level concerns as per section 7.7 of this policy

Empowering staff to self-refer

Addressing unprofessional behaviour and supporting the individual to correct it at an early stage

Providing a responsive, sensitive and proportionate handling of such concerns when they are raised

Helping to identify any weakness in The Learning Sanctuary's safeguarding system

Responding to low-level concerns

If the concern is raised via a third party, the Director will collect evidence where necessary by speaking:

Directly to the person who raised the concern, unless it has been raised anonymously

To the individual involved and any witnesses

The Director will use the information collected to categorise the type of behaviour and determine any further action, in line with The Learning Sanctuary's staff code of conduct.

Record keeping

All low-level concerns will be recorded in writing. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken.

Records will be:

Kept confidential, held securely and comply with the DPA 2018 and UK GDPR

Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harms threshold as described in section 1 of this appendix, we will refer it to the designated officer at the local authority

Retained at least until the individual leaves employment at The Learning Sanctuary

Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

References

We will not include low-level concerns in references unless:

The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or

The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance.

Appendix 3: Reporting a safeguarding concern

Safeguarding Concern Report

Date of Report	
Date of Incident	
Location of Incident	

Name of Referrer:		Role of Referrer:	
Service users name:			
Details of concern:	• <i>Include as much detail as possible about the concern</i> • <i>Use a body map id appropriate</i> • <i>Use initials of other people involved unless a specific need to use full name</i>		
Reported to:		Role of person reported to:	
Signed:			

Jenny Mills - Director & Designated Safeguarding Lead – jenny.mills@thelearningsanctuary.co.uk

Appendix 4: Safeguarding Lead Report

Designated Safeguarding Lead Section	
Date and time report received by Designated Safeguarding Lead	
Is service user known to Social Services?	YES/NO <i>Social worker details</i>
Action taken by Designated Safeguarding Lead	<i>List all actions taken</i>
Has this concern been discussed with parents/ carers?	YES/NO <i>Reasons</i> <i>Include all electronic correspondence:</i>
Did the concern meet the threshold for a referral?	YES/NO <i>Reason:</i> <i>Date:</i> <i>Time:</i> <i>Referred to:</i> <i>Contact details:</i>
How will this concern be monitored?	<i>Include information on how and by who</i>
Feedback to the member of staff who raised the concern?	
Was the action taken reviewed by the Safeguarding team?	<i>Date:</i> <i>Time:</i> <i>Staff:</i> <i>Comments:</i>
Any other notes	
Signed	<i>Name:</i> <i>Date:</i> <i>Role:</i>



Appendix 5 – Specific safeguarding adults Risk Assessment

	Date of assessment:	
	Name of assessor:	
	Name of service user at risk:	
	Date of birth:	
	Address:	
Parent/ Carer details:	Second parent/ carer details:	Service users contact details:
Nature of risk (Describe the type of abuse or neglect e.g., physical, emotional, financial, neglect, self-neglect)		
Risk Source (Identify the individual(s) or situation(s) posing the risk (e.g., caregiver, family member, institution)		
Context of Risk (Provide details about the circumstances under which the risk arises e.g., home environment, care setting)		

Likelihood of harm low/ medium/ high	Severity of harm Low/ medium/ high	Immediate danger: Yes/ no
Current safeguards in place: List existing measures to protect the adult at risk (e.g., supervision, care plans)		
Proposed Actions Document additional steps to reduce risk (e.g., moving to a safer environment, engaging support services)		
Timescale for Actions:		
Has the adult been informed about this assessment?		
Does the adult consent to actions being taken?	If no, provide justification	
Decision/Action Plan: Summarise the actions to be taken, responsible parties, and timelines		
Date of next review:		
Assessor signature:		
Directors signature:		

Policy alignment note – August 2026

This policy has been reviewed against the North Yorkshire version of the West Yorkshire, North Yorkshire and City of York Joint Multi-Agency Safeguarding Adults Policy and Procedures, including its current Overarching Aims, Duties and Principles. The external procedure is maintained online and may be amended; The Learning Sanctuary will review this policy when material changes affect its safeguarding responsibilities.