



Safeguarding Policy - Adults at Risk

Policy Ref: TMP17v2

This policy will not discriminate either directly or indirectly against any individual on grounds of sex, race, ethnicity or national origin, gender, sexual orientation, marital status, religion or belief, age, disability, socioeconomic status, offending background or any other personal characteristic.

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Reviewed By Martin Heaton

Job Title Assistant Director,
Designated
Safeguarding Lead

Job Title Director

Signed

Signed

Date

Record of Changes

Version	Issue Date	Changes	Initials
v1	July 2019	Initial issue	JM
v2	July 2020	General procedural review, references updated, formatting changes	JM

Date of Next Review: July 2021

Definition

Throughout this policy document **TMP Studios CIC** is referred to as ‘TMP College’.

Scope

This policy provides guidance to all adults working within TMP College whether paid or voluntary or directly employed by TMP College or by a third party.

Adult at Risk Statement

TMP College is committed to safeguarding adults at risk and promoting their welfare and expects all staff, governors, volunteers and visitors to share this commitment and maintain a vigilant and safe environment. Everyone has a responsibility to act, without delay, to protect adults at risk by reporting anything that might suggest an adult at risk is being abused or neglected. It is our willingness to work safely and challenge inappropriate behaviours that underpins this commitment. TMP College seeks to work in partnership with families and other agencies to improve the outcomes for adults at risk who are vulnerable or in need.

This policy includes referrals to Channel¹ in compliance with the Prevent² Duty.

TMP College further reinforces our duty of care to all learners, irrespective of age or vulnerability, within all relevant training, guidance, policies and procedures, deriving from:

- Common law duty of care/in loco parentis
- Statutory duty of care and sector specific guidance and legislation
- Duty arising from the contract of employment

Definitions

The Care Act 2014³ sets a clear framework for how local authorities should protect adults at risk of abuse or neglect. The Act places a duty on local authorities to make enquiries, or cause others to do so, if it believes that an adult:

- has needs for care and support (whether or not the authority is meeting those needs) and
- is experiencing, or is at risk of, abuse or neglect, and
- as a result of those needs is unable to protect himself or herself against the abuse or the neglect or the risk of it.

‘Where an adult at risk is suffering significant harm, or is likely to do so, action should be taken to protect that adult at risk.’

¹ <https://www.gov.uk/government/publications/channel-guidance>

² <https://homeofficemedia.blog.gov.uk/2019/11/05/factsheet-prevent-and-channel/>

³ <https://www.gov.uk/government/publications/care-act-2014-part-1-factsheets/care-act-factsheets>

Policy Aims

To ensure TMP College takes appropriate action, in a timely manner, to safeguard and promote the welfare of all adults at risk

To ensure responsibilities and procedures are fully understood and that everyone can recognise signs and indicators of abuse or neglect and respond to them appropriately.

To ensure that TMP College's practice meets local and national guidance and all statutory requirements are in place.

Key Principles

- The adult at risk's needs and welfare are paramount. All adults at risk have a right to be protected from abuse and neglect and have their welfare safeguarded.
- All staff should maintain an attitude of "it could happen here" where safeguarding is concerned.
- Adults at risk should be listened to and their views and wishes should inform any assessment and provision for them. Staff should always act in the interests of the adult at risk, in order to protect them.
- TMP College recognises that scrutiny, challenge and supervision are key to safeguarding adults at risk.
- TMP College is committed to working with other agencies to provide early help for adults at risk before they become at risk of harm.
- All staff should be aware of the importance of identifying emerging problems, liaising with the Designated Safeguarding Lead, sharing information with other professionals to support early identification and assessment.
- All staff should be aware of the process for making referrals to Adult Services where an adult at risk is suffering, or likely to suffer, significant harm and understand the role they might be expected to play in such assessments that may follow a referral.
- All staff have responsibility to report their concerns about an adult at risk **without delay** to TMP College's Safeguarding Team. Whilst the Safeguarding Team will normally make referrals to Adult Services, **anyone** can refer their concerns to Adult Services directly in emergencies or if they feel they need to do so.
- Everyone has responsibility to escalate their concerns and 'press for reconsideration' if they believe an adult at risk's needs remain unmet or if the adult at risk is failing to thrive and in need or if the adult at risk is at risk of harm.
- TMP College will work in partnership with other agencies to promote the welfare of adults at risk and protect them from harm, including the need to share information about them in order to safeguard them.
- TMP College will work with other agencies to ensure any actions that are part of a multi-agency coordinated plan are completed in a timely way.
- TMP College will follow the Local Safeguarding Adults Board procedures and provide them with information as required.

- Adults at risk have a right to learn ways to keep themselves safe from harm and exploitation.
- All staff will work to the 6 Principles of Safeguarding as defined by The Care Act 2014:
 - Accountability
 - Empowerment
 - Partnership
 - Prevention
 - Proportionality
 - Protection

Legislation and Guidance

The Counter-Terrorism and Security Act 2015⁴ places a duty upon local authorities and educational providers to '*have due regard to the need to prevent people from being drawn into terrorism*' (CTSA 2015). 'The fundamental aims of Prevent, as part of the revised 2018 Contest Strategy are, "to safeguard vulnerable people to stop them becoming terrorists or supporting terrorism." (Work Based Learners and the Prevent Statutory Duty 2018⁵). The DfE has provided statutory guidance for colleges and childcare providers: 'Revised Prevent Duty Guidance: England and Wales'⁶ (DfE 2015). The guidance summarises the requirements of colleges in terms of four general themes:

- risk assessment,
- working in partnership,
- staff training
- IT policies.

TMP College will ensure that staff are aware of the indicators of extremism and radicalisation and know how to respond in keeping with local and national guidance. Staff will use their judgement in identifying adults who might be at risk of radicalisation and act proportionately which may include making a referral to the Channel programme. Equally, adults at risk will be made aware of the risks and support available to them. We will ensure that adults at risk are safe from terrorist and extremist material when accessing the internet in TMP College. The Government has developed an 'educate against hate' website⁷ providing information and resources for colleges and parents to support them to recognise and address extremism and radicalisation in young and/or vulnerable people.

The Teaching Standards (DfE 2013)⁸ also requires all tutors to 'uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside TMP College, including:

- treating learners with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a tutor's professional position

⁴ <https://www.gov.uk/government/collections/counter-terrorism-and-security-bill>

⁵ <https://www.gov.uk/government/publications/work-based-learners-and-the-prevent-statutory-duty>

⁶ <https://www.gov.uk/government/publications/prevent-duty-guidance>

⁷ <https://educateagainsthate.com/>

⁸ <https://www.gov.uk/government/publications/teachers-standards>

- having regard for the need to safeguard learners' wellbeing, in accordance with statutory provisions
- showing tolerance of and respect for the rights of others

TMP College will also take account of additional guidance and legislation including:

- The Equality Act 2010⁹
- Special educational needs and disability code of practice: 0 to 25 years: Statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities (DfE 2014)¹⁰
- Criminal Exploitation of children and vulnerable adults: County Lines Guidance (DFE, 2017)¹¹
- Information sharing: Advice for practitioners providing safeguarding services (HMG, 2018)¹²
- Revised Prevent Duty Guidance: for England and Wales (DfE, 2015)
- How social media is used to encourage travel to Syria and Iraq (DFE Briefing note for colleges)¹³

Communicating with parents and visitors

TMP College is committed to the principles of safeguarding where a person centred approach is fundamental to safeguarding and promoting the welfare of every adult at risk. An adult at risk centred approach means keeping them in focus when making decisions about their lives and working in partnership with them and their families.'

The names and photographs of the Designated Safeguarding Lead are displayed in each centre.

Roles and responsibilities

The Director is Martin Heaton

The Designated Safeguarding Lead is Jackie Manning

The Deputy Designated Safeguarding Lead: Dean Meadows

⁹ <https://www.gov.uk/guidance/equality-act-2010-guidance>

¹⁰ <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

¹¹ <https://www.gov.uk/government/collections/county-lines-criminal-exploitation-of-children-and-vulnerable-adults>

¹² <https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

¹³

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/440450/How_social_media_is_used_to_encourage_travel_to_Syria_and_Iraq.pdf

The Board should ensure that:

- TMP College meets the statutory responsibilities set out in relevant legislation and local guidance
- This policy is reviewed at least annually by the Board
- There is a named Designated Safeguarding Lead who is a member of TMP College's Senior Leadership Team. There are colleagues trained to provide cover for the role.
- TMP College has procedures in keeping with the local Safeguarding Adults Board (SAB) for dealing with any allegations made against any adult working within the College.
- There is a nominated Board member with safeguarding responsibility, who is the case manager for managing any allegations against the Director.
- There is a nominated safeguarding Board member to liaise with the Designated Safeguarding Lead and champion safeguarding on behalf of the board.
- TMP College follows safer recruitment procedures, including the statutory pre-employment checks on all staff. The Board and safeguarding governor together with the Director review TMP College's single central record.
- TMP College itself is a safe environment where the views of adults at risk and families are listened to and where adults at risk are taught about safeguarding and how to keep themselves safe, including on the internet or when using new technology. Any complaints about services lead to improvements in practice.
- TMP College will ensure there are appropriate filters and monitoring systems in place in respect of internet use and encourage safe and responsible use of new technologies.
- TMP College scrutinises the impact of its training strategy so that all staff, including temporary staff and volunteers, are aware of TMP College's safeguarding policies and procedures. All staff must have safeguarding training which is regularly updated. The Designated Safeguarding Lead and Deputy Designated Safeguarding Leads undertake training in keeping with statutory training requirements.
- The governors are given guidance to support them to ensure TMP College meets its statutory safeguarding requirements.
- All safeguarding practices are quality assured by the Designated Safeguarding Lead, including the auditing of safeguarding records and the supervision of the other members of the safeguarding team.
- The Board will appoint an appropriately trained designated person to promote the educational achievement of adults at risk who are looked after.

The Board are accountable for ensuring TMP College has effective policies and procedures in line with local and national guidance, and for monitoring TMP College's compliance with them. The Board do not have a role in dealing with individual adult at risk cases or the right to know the detail of cases (except when exercising their disciplinary functions in respect of allegations against a member of staff or investigating a complaint brought to their attention).

The Director will ensure that:

- The Single Central Record is up to date and the safer recruitment practices are followed in line with TMP College's Recruitment and Selection Policy and Procedures.
- Job descriptions and person specifications for all roles make specific reference to adult at risk protection and safeguarding.
- There is a listening culture within TMP College where both staff and adults at risk are able to raise concerns about poor or unsafe practices.
- Referrals are made to the Disclosure and Barring Service as appropriate.
- They liaise with the Local Authority Designated Officer where an allegation is made against a member of staff.

The **Designated Safeguarding Lead** has a job description in keeping with safeguarding requirements and that sufficient time, training and support are allocated to this role, including the appointment of colleagues able to deputise for the Designated Safeguarding Lead who have undertaken the same training.

The **Designated Safeguarding Lead** will quality assure TMP College's adult at risk practices including the auditing of safeguarding records and the supervision of the safeguarding team to ensure that actions and decisions are reviewed appropriately and that staff's emotional needs are met.

The latest safeguarding legislation set out the broad areas of responsibility for the **Designated Safeguarding Lead**, which include the following:

- Refer cases of suspected abuse to the Local Authority Adult Services as required;
- Support staff who make referrals to Adult Services;
- Refer cases to the Channel programme where there is a radicalisation concern as required;
- Support staff who make referrals to the Channel programme;
- Refer cases where a person is dismissed or left due to risk/harm to an adult at risk to the Disclosure and Barring Service as required; and
- Refer cases where a crime may have been committed to the Police as required
- Work with Others
- Liaise with the Director to inform him or her of issues especially ongoing serious safeguarding concerns and police investigations;
- Liaise with staff (especially support staff, IT technicians and the named person with oversight of SEN in TMP College) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies.
- Act as a source of support, advice and expertise for staff.
- Undertake Prevent awareness training.

The **Designated Safeguarding Lead** (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. This training should be updated at least every two years.

In addition to the formal training set out above, their knowledge and skills should be refreshed (this might be via e-bulletins, meeting other Designated Safeguarding Leads, or simply taking time to read

and digest safeguarding developments) at regular intervals, as required, but at least annually, to allow them to understand and keep up with any developments relevant to their role so that they:

- Understand the assessment process for providing support, including Adult Services' referral arrangements.
- Ensure each member of staff has access to and understands TMP College's Adult at risk policy and procedures, especially new and part time staff;
- Are alert to the specific needs of adults at risk in general and those with special educational needs and young carers;
- Understand relevant data protection legislation and regulations, especially the Data Protection Act 2018¹⁴ and the General Data Protection Regulation¹⁵;
- Understand the importance of information sharing, both within TMP College, and with the three safeguarding partners, other agencies, organisations and practitioners;
- Are able to keep detailed, accurate, secure written records of concerns and referrals;
- Understand and support TMP College with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting adults at risk from the risk of radicalisation;
- Are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up-to-date capability required to keep adults at risk safe whilst they are online at TMP College;
- Can recognise the additional risks that adults with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND adults to stay safe online
- Obtain access to resources and attend any relevant or refresher training courses; and
- Encourage a culture of listening to adults at risk and taking account of their wishes and feelings, among all staff, and any measures TMP College may put in place to protect them.

The **Designated Safeguarding Lead** should also

- Ensure TMP College's adult at risk protection policies are known, understood and used appropriately;
- Ensure TMP College's Adult at Risk policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this;
- Ensure the adult at risk policy is available publicly and parents/ carers are aware of the fact that referrals about suspected abuse or neglect may be made and the role of TMP College in this; and
- Link with the local LSAB to make sure staff are aware of training opportunities and the latest local policies on safeguarding.

Where adults at risk leave, the **Designated Safeguarding Lead** shall ensure their adult at risk protection file is transferred to the new college upon request. This should be transferred separately from the main student file, ensuring secure transit and confirmation of receipt should be obtained.

¹⁴ <https://ico.org.uk/for-organisations/data-protection-act-2018/>

¹⁵ <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/>

Receiving colleges should ensure key staff such as Designated Safeguarding Leads and SENCOs or the named person with oversight for SEN in colleges, are aware as required.

In addition to the adult at risk protection file, the **Designated Safeguarding Lead** should also consider if it would be appropriate to share any information with the new college in advance of an adult at risk leaving. For example, information that would allow the new college to continue supporting victims of abuse and have that support in place for when the adult at risk arrives.

During term time the **Designated Safeguarding Lead** (or a deputy) will be available (during College hours) for staff in TMP College to discuss any safeguarding concerns.

The **Designated Safeguarding Lead** will arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

The **Director** will normally be informed of any allegations against staff and will ensure appropriate referrals to the Disclosure and Barring Service or Teaching Regulation Agency are made.

In addition to the above the **Designated Safeguarding Lead** is also expected to ensure that:

- A training log is kept of safeguarding training include the names of those attending. All staff must have regular training and updates.
- TMP College attends and contributes to multi-agency meetings, ensuring actions are completed in a timely manner.
- TMP College escalates its concerns with other agencies when an adult at risk's needs are not being met following the Local Safeguarding Board Escalation and Resolution Policy.
- All members of the Safeguarding Team have received appropriate training; that all referrals made are quality assured and the supervision is provided to the Safeguarding Team to monitor all decisions and action taken and the wellbeing of each team member.

All staff (and volunteers) should:

- Contribute to ensuring learners learn in a safe environment.
- Recognise that any adult at risk will benefit from timely support, but should be particularly alert to the potential need for an adult at risk who:
 - is disabled and has specific additional needs
 - has special educational needs
 - is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups
 - is misusing drugs or alcohol themselves
 - is at risk of modern slavery, trafficking or exploitation
 - is showing early signs of abuse and/or neglect
 - is at risk of being radicalised or exploited
- Report any concerns about an adult at risk's welfare without delay to:
 - the Designated Safeguarding Lead
 - the Deputy Designated Safeguarding Lead
 - or in their absence a senior member of staff.

- Understand that any member of staff can make a referral to Adult Services should that be required, informing the Safeguarding Team of any action taken.
- Report any concerns without delay about the behaviour of staff towards an adult at risk to the Director, Designated Safeguarding Lead or the Chair.
- Understand their responsibility to escalate their concerns and ‘press for reconsideration’ if an adult at risk remains at risk or their needs are not met. This includes the understanding that any member of staff can make a referral to Adults Services if required to do so.
- Follow all TMP College’s policies including this policy and TMP College’s Code of Conduct.
- Be aware safeguarding issues can manifest themselves via peer on peer abuse
- Understand that some adults at risk, including those with Special Educational Needs, may be more vulnerable to abuse.
- Recognise that Adults at risk with special educational needs (SEN) and disabilities can face additional safeguarding challenges. This can include:
 - assumptions that indicators of possible abuse such as behaviour, mood and injury relate to their disability without further exploration;
 - adults at risk with SEN and disabilities can be disproportionately impacted by things like bullying - without outwardly showing any signs; and
 - ‘communication barriers and difficulties in overcoming these barriers.’ (DfE 2016)
- Have access to TMP College’s Code of Conduct and Whistleblowing policy.

Safeguarding Framework

In addition to this policy TMP College has procedures or policies in relation to other areas for safeguarding adults at risk including as examples:

- attendance
- bullying and harassment
- learner conduct
- code of conduct
- risk assessments for educational visits
- data protection
- Risk Assessment Guidelines
- safe recruitment practices
- complaints policy
- Single Equality Scheme
- special educational needs and disabilities
- whistleblowing

Procedures for reporting adult at risk protection or adult at risk welfare concerns

All concerns should be reported without delay following TMP College's published Safeguarding Policies /Reporting Procedures. This should be followed by a written account of the concerns completed on TMP College's Safeguarding Referral/Report Form.

Consideration will need to be given to immediately protecting the adult at risk and contacting the police and/or ringing for an ambulance if the adult at risk is injured or at risk of immediate harm.

The Designated Safeguarding Lead or Deputy Designated Safeguarding Leads will take immediate action and will make a referral to Adult Services by telephone if an adult at risk is believed to be suffering or likely to suffer significant harm. This referral will always be followed up in writing.

The Designated Safeguarding Lead or Deputy Designated Safeguarding Lead will follow the Local Authority multi-agency procedures and consider the adult at risk's needs and consider whether a referral to Adult Services is needed.

Concerns about an adult at risk should always lead to timely support. TMP College may need to escalate its concerns with Adult Services to ensure a referral is accepted.

Concerns that an adult at risk is being radicalised should follow the normal safeguarding referral mechanism with an additional Channel referral being made to the Local Authority's Prevent and Channel team.

Managing allegations against staff and volunteers working at TMP College

All staff and volunteers must report any concerns about a member of staff's behaviour towards adults at risk to the Director. Concerns can also be discussed with the Designated Safeguarding Lead. Concerns about the Director should be raised with Chair of the Board or nominated Board member.

TMP College's policy and procedures will support everyone to take action.

Allegations of abuse against another learner (peer on peer abuse)

All concerns must be reported and discussed with the Designated Safeguarding Lead. This is most likely to include, but not limited to: bullying (including cyber bullying), gender-based violence/sexual assaults and sexting (sexual imagery). Staff should recognise that adults at risk are capable of abusing their peers. Staff must challenge any form of derogatory and sexualised language or behaviour. Staff should be vigilant to sexualised/aggressive touching/grabbing particularly towards girls. Behaviours by adults at risk or others should never be passed off as 'banter'.

Adults at risk with special educational needs and disabilities are more vulnerable to sexual violence and harassment and staff should be aware that additional barriers can exist when recognising abuse in these adults at risk. Adults at risk who are LGBT or perceived to be, may also be targeted by their peers and harassed or assaulted.

Victims of peer on peer harm will be supported by TMP College's learner support system and referred to specialist agencies including, as examples, CAMHS, Brook and Barnardo's. A risk assessment may need to be in place. TMP College's curriculum will support all learners to become more resilient to inappropriate behaviours towards them.

On-line safety, data protection and the use of mobile phones and digital photographic equipment

Staff should also report any concerns about any inappropriate use of technology to the Designated Safeguarding Lead, Deputy Designated Safeguarding Lead or senior member of staff.

TMP College's E-safety policy clearly outlines the way in which TMP College uses technology and the measures in place to ensure safe and responsible use by all. There is a clear code of conduct for staff and volunteers which sets out the use of new technologies, mobile phones and personal photographic equipment around adults at risk.

Staff should bring immediately to the attention of the Safeguarding Team any behaviours by adults or adults at risk themselves that may be risky or harmful.

Safe recruitment

TMP College will ensure that all appointments follow its recruitment policy and the guidance set out in its Safeguarding Policy. At least one member of the appointments panel will have undertaken safer recruitment. TMP College will undertake all the required DFE pre-employment checks and where appropriate record these checks on the single central record and retain evidence in personnel files. TMP College will seek written confirmation that third-party organisations including contractor and alternative education providers have undertaken appropriate checks.

TMP College is required to make all relevant checks including the Disclosure and Barring Service (DBS) checks to ensure that staff recruited are appropriate for an educational environment. Appropriate action will be taken against staff (in service) who have committed a relevant offence. This include reporting them to Disclosure and Barring Service.

The safeguarding curriculum

The curriculum provides opportunities to help learners stay safe especially when online. Adults at risk should be aware of the support available to them.

Adults at risk will be supported to develop their understanding, where appropriate, of risks including: when using technology, the internet, and risks associated with grooming and radicalisation, gang and criminal exploitation and misusing drugs and alcohol. TMP College will

ensure the curriculum promotes British Values as set out in the Counter Terrorism and Security Act 2015¹⁶.

Confidentiality, information sharing, record keeping and retention

Staff will be told of concerns about an adult at risk on a ‘need to know basis’. TMP College understands the need to keep its safeguarding records securely.

Where requested by a new provider, TMP College will transfer records securely to the next setting and discuss the adult at risk’s needs.

TMP College will retain records in keeping with legal guidelines and the TMP College Data Protection Policy.

Staff cannot promise adults at risk confidentiality but must always act in their best interest and share disclosures made by the adult at risk or others with the Safeguarding Team.

TMP College will aim to seek consent of individual or their carers before sharing information with other agencies, however legislation states that colleges and other agencies can share information without this consent in particular circumstances.

Complaints

Complaints about safeguarding should follow TMP College’s complaints policy.

TMP College and the Local Authority also have whistle blowing procedures.

¹⁶ <https://www.gov.uk/government/collections/counter-terrorism-and-security-bill>