

# **Safeguarding Children (Young People) and Vulnerable Adults Policy**

**Updated April 2021**  
**Review Date: April 2022**

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## **1. Policy scope and purpose**

The College Merthyr Tydfil is fully committed to prioritizing and promoting safeguarding and to protecting children, young people and vulnerable adults from harm.

The College and its subsidiary, Tydfil Training Consortium recognises that learners have a fundamental right to be protected and safeguarded from harm and should be given the opportunity to gain the maximum benefit possible from their educational opportunities. In working towards these aims, the \*College is committed to working with relevant organisations, to take all reasonably practical steps, to ensure that the legal and pastoral duties owed to learners in respect of Child and Adult Safeguarding issues, are discharged in accordance with current legislation and practice.

The College has clearly defined responsibilities under the Keeping Learners Safe guidance 2020 for young people (children) who are under 18 years of age, whilst the Social Services and Wellbeing (Wales) Act 2014 extends the duty to report where there is reasonable cause to suspect that an adult is at risk.

This policy applies to all groups regardless of age, disability, gender, marital status, parental responsibilities, sexuality, race, religion and gender re-alignment and it is the duty of all staff, governors, learners, visitors and contractors to follow it. This Policy will be subject to an annual review by the College Executive

**N.B. This is not a matter for individual choice; not wanting to get involved is not an option**

## **2. Relevant Legislation**

The main points of reference include Wales Safeguarding Procedures 2019, Adult Protection Procedures 2010, Keeping Learners Safe Guidance document number 265/2020, The Wellbeing of Future Generations (Wales) Act 2015, The Social Services and Wellbeing (Wales) Act 2014, Equality Act 2010 and Prevent Duty Guidance 2015.

The College will align guidance and procedures to the Cwm Taf Morgannwg Safeguarding Board (CTMSB) and the Wales Safeguarding Procedure. These documents along with this policy will enable the college to comply with requirements under statutory bodies including Estyn and Care Inspectorate Wales (CIW).

## **3. Roles and Responsibilities**

### **The Board of Directors**

The Board of Directors is committed to ensuring that the College:

- Raises awareness of issues relating to safeguarding and promoting the welfare of children (young people) and vulnerable adults in the College.
- Provides a safe environment for learners.

- Identifies young people and vulnerable adults who are suffering or are at risk of suffering significant harm and takes appropriate action to see that such learners are kept safe at the College, supporting a multi agency approach.
- Have procedures for reporting and dealing with allegations of abuse against members of staff, other learners and volunteers.
- Operates safe recruitment procedures.
- Designates a member of staff with sufficient authority to take lead responsibility for safeguarding
- Remedies any deficiencies or weaknesses in regard to safeguarding arrangements that are brought to the Board of Director's attention

### **The Principal**

The Principal will ensure, through the Senior Management Team and the Safeguarding team that:

- Policies and procedures are fully implemented and followed by all staff
- Staff have both time and access to sufficient resources to enable them to discharge their responsibilities, including taking part in strategy discussions and other inter-agency meetings as well as contributing to the assessment of children and young people
- Staff feel able to raise concerns about poor or unsafe practice and be confident that such concerns will be addressed sensitively and effectively in a timely manner in accordance with Welsh Government's Procedures for Whistleblowing
- Policies and procedures are available to parents/ carers on request
- Safer recruitment is adhered to and checks on new staff are carried out
- Cases are reported to the Disclosure and Barring Service (DBS) if a person ceases to work in an educational setting and there are grounds for believing he/ she may be unsuitable to work with young people, or may have committed misconduct

### **Vice Principal Resources**

The Vice Principal, as Designated Safeguarding Person (DSP) for safeguarding, child protection and Prevent, will ensure that:

- Staff receive mandatory training, and regular updates on recognising, responding and reporting concerns, at least every two years
- They act as a point of contact for external agencies, including Cwm Taf Morgannwg Safeguarding Board
- They act as a single point of contact (SPOC) for Prevent and reporting concerns to the Welsh Extremism and Counter Terrorism Unit (WECTU)
- Submit an annual report to the Board of Directors which reviews how the duties have been discharged, including staff training and recommendations
- The recruitment of staff meets safer recruitment guidelines, including the use of the Disclosure and Barring Service (DBS) and Education Workforce Council requirements
- New staff receive training as part of the wider induction on safeguarding procedures
- Mechanisms exist to ensure that the use of temporary and agency staff comply with the college's safeguarding responsibilities and procedures

## **Head of Wellbeing & Learner Support Services**

The Head of wellbeing & Learner Support Services as Operational Safeguarding lead, will ensure that:

- Applicants with a disclosed criminal conviction are assessed thoroughly and associated risks to self and others are considered based on their application
- A safe online environment is promoted and scrutinised via induction, education and appropriate training
- All safeguarding concerns are recorded accurately and securely in line with GDPR, using MyConcern
- Liaison with key internal and external agencies, local authorities, contractors, parents/guardians, learners, staff to ensure effective and timely communication and information sharing (as appropriate)
- Senior managers are advised to ensure that the college conforms to legislation in respect of Equality & Diversity, Estyn and Welsh Government agendas
- Relevant training for staff and external partners across a range of safeguarding topics is provided

## **Designated Safeguarding Leads (DSLs)**

DSLs are designated members of the safeguarding team and have responsibility for:

- Providing frontline contact for the reporting of safeguarding concerns
- Providing advice, supporting and training to staff
- Referring cases of suspected abuse, allegations of abuse or incidents of harm to the relevant agencies
- Maintaining accurate records of safeguarding referrals in line with data protection regulations via MyConcern
- Dealing with individual cases, including attending case conferences and review meetings as appropriate
- Keeping the DSP and Safeguarding & Wellbeing Officer informed about all cases of suspected abuse, allegations of abuse or incidents of harm

## **Nursery Manager**

The Nursery Manager will ensure that:

- The nominated person (Nursery Manager) will attend advanced child protection training and will act as the key Child Protection Officer for the Nursery
- All staff will attend Child Protection training.
- Staff meetings will cover Child Protection so that staff are aware of the correct procedure for reporting and referral. If at any time they have concerns or suspicions about the children being harmed in any way or are at risk we will report to the appropriate agency without delay.

## **All Staff**

Staff must:

- Prioritise safeguarding and adopt a preventative approach in all engagements with learners
- Promote a safe environment for learners and be alert of learners who may be experiencing harm
- Undertake mandatory Level 2 Safeguarding training
- Undertake training to access, report and record safeguarding concerns via the online platform, MyConcern
- Identify learners who are experiencing or are likely to experience significant harm via MyConcern
- Identify learners who they consider may be in danger of becoming radicalised or engaging in extremist activity via MyConcern
- Promote the ethos of the College that learners feel secure, valued and listened to
- Promote learners' wellbeing via the tutorial programme and develop their resilience
- Recognise learners experiencing distress and act to support including seeking advice from the Safeguarding team
- Challenge inappropriate behaviour in College, for example, bullying, substance misuse and refer to the Wellbeing & Safeguarding teams as appropriate

## **Duty of Care**

Staff are accountable for the way in which they exercise authority, manage risk, use resources and actively protect young people and vulnerable adults from discrimination and avoidable harm. Staff should develop respectful, caring and professional relationships between themselves and all learners. Staff behaviour should demonstrate integrity, maturity and good judgement and fully comply with the EWC Staff Code of Conduct.

## **Referrals to Counsellors**

Anyone reporting suspected abuse to a member of staff should be offered the opportunity to receive counselling from a College Counsellor. If the person concerned does not wish to see a Counsellor, this wish must be respected. The young person should be informed that he or she may speak to a counsellor in the future if they wish to do so.

In addition, the member of staff to whom the abuse was disclosed and/or was concerned about possible abuse has access to College Counsellors and may wish to avail himself or herself of this opportunity at his or her own convenience.

## **4. Safer recruitment and Selection**

The College will have in place recruitment procedures which will ensure that every care is taken to ensure that young people and vulnerable adults are protected from unsuitable people. See Appendix 4.

## **5. Professional Relationships and Boundaries**

The College Merthyr Tydfil recognises that positive professional relationships with learners will support the best outcomes. In adhering to the EWC Staff Code of Conduct and appropriate, professional boundaries, a safer learning community which supports the welfare of both learners and staff can be ensured.

The college takes cognisance of the requirements detailed in the DfES guidance document *Safeguarding Children and Safer Recruitment in Education* which came into force on 1 January 2007. Keeping children and young people safe is paramount and this policy was prepared in advance of the requirements for implementation in 2008 of the new vetting and barring scheme being established under the provisions of the Safeguarding Vulnerable Groups Act 2006, thereby ensuring children and young people are safeguarded from harm, especially from those in positions of trust, care or authority.

### **Social media**

The college does not endorse connecting with learners via personal social media accounts, including accepting friend/ follow/ connection requests. Where curriculum, course related or other college accounts and online spaces are used for communication purposes, the college's Acceptable IT Use and Social Media Policies should be adhered to in conjunction with the EWC Guidance on the Use of Social Media.

### **Remote/ Online teaching and learning**

Staff should consider:

- Work area/ backdrop is appropriate
- Clothing is appropriate
- Consent is sought before recording sessions/ sharing photographs or screenshots

Should a concern arise following an online session, please report immediately to the Safeguarding team

### **Home visits**

Home visits should only be undertaken as a last resort and without entering the home. It is recommended that no less than two members of staff would attend.

### **Transporting Learners**

Wherever possible, it is expected that college transport would be used for learner transport. Staff should ensure that all necessary vehicle checks are carried out prior to use; that insurance cover is appropriate and that two members of staff accompanying the learner(s). In the event that a college vehicle is unavailable, a taxi should be used.

## **Photography/ video**

Where photography and/ or video footage is used for any purpose (for example, celebrating success, marketing), care should be taken to ensure that consent has been obtained and checks have been carried out to confirm that there is no violation of Child Protection notices for example.

### **6. Confidentiality**

In all dealings with learners who are disclosing matters that may require action or intervention, staff are made aware that we do not promise to keep information confidential and that it will be shared where it is in the best interest of the learner and/ or wider public interest. Members of the Safeguarding team who have access to confidential or restricted information will disclose information about a learner on a 'need to know' basis only. This includes where a member of staff may receive an information request from a parent, guardian or the police. The police are required to submit a Personal Data Request form completed by a Detective Inspector.

### **7. Supporting Staff**

It is recognized that staff who may have become involved with a young person where a safeguarding concern has been raised, may find the situation stressful and upsetting. Staff are supported by providing opportunities to speak about their anxieties with the Safeguarding & Wellbeing Officer, a DSL, the MH Coordinator (who may signpost to other support mechanisms) and/ or their immediate line manager and to seek further support as appropriate.

Members of the Safeguarding team (ie I2A) will have regular access to reflection sessions with a trained professional.

### **8. Radicalism and Extremism**

There is an important role for further education institutions in helping prevent people being drawn into terrorism, including violent and non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit.

It is a condition of funding that all further education and independent training providers must comply with relevant legislation and any statutory responsibilities associated with the delivery of education and safeguarding of learners. It is important to realise that the risk of radicalisation in institutions does not just manifest itself solely from contact with external individuals.

Radicalised learners can also act as a focal point for further radicalisation through personal contact with peers and through their social media activity. Where radicalisation happens off campus, the learner concerned may well share his/her issues with other learners. Changes in behaviour and outlook may be visible to staff.



All institutions have a clear role to play in the welfare of their learners and therefore any concerns must be reported to the Safeguarding team.

## 9. Safeguarding protocols for staff

All staff are responsible for safeguarding one another and learners. Where a learner makes a disclosure to a member of staff they should:

- **LISTEN** carefully, stay calm; do not express shock or embarrassment
- **DO NOT** guarantee confidentiality, but be clear that you will act sensitively and explain next steps
- **GIVE REASSURANCE** that you are taking the information seriously
- **DO NOT** ask leading questions and ensure that you confirm understanding of the situation by echoing back information shared
- **DO NOT** examine any physical injuries
- **DO NOT** attempt to investigate the allegations yourself
- **NEVER JUDGE**, even if the allegation is against a colleague
- **RECORD** what was said, time, date and place using MyConcern
- **CONTACT** a member of the Safeguarding team as soon as is reasonably possible
- **COMMUNICATE** to the learner what is going to happen next

The Safeguarding team will investigate all concerns and allegations, make a judgement on next steps and then refer on to the appropriate agency. The team will meet on a regular basis to review new cases, monitor on-going cases and review and monitor a watch-list of those cases where concerns have not met an intervention threshold. All cases are recorded in the secure, online platform, MyConcern.

There are occasions when learners may accuse members of staff of physically or sexually abusing them. In such cases, the Safeguarding & Wellbeing Officer will notify the Principal/CEO/Vice Principal immediately and he/she will take on the role of Investigating Officer in line with the College's/TTC Disciplinary Policy and Procedure. Any action taken as a result of the allegation will be taken in accordance with that policy.

If any person wishes to raise a complaint about the way in which a matter of alleged abuse was handled, this should be made in writing to the Principal/CEO/Vice Principal who except in periods of absence, will personally review the details. If any allegations are found to have merit, the Principal/CEO/Vice Principal will review the evidence in order to ascertain whether any disciplinary action is justified under the College/Tydfil Training Consortium Disciplinary Procedures and whether external agencies need to be informed of the findings.

## 10. Document Review

This policy and associated procedures will be reviewed annually and updated in line with statutory guidance or legislation

## Safeguarding Reporting Procedure

### RECOGNISE

Have you noticed:  
Changes in behaviour, appearance or mood?  
Lack of engagement?  
Have you heard, have other learners told you something?

### RESPOND

Talk to the learner, listen but do not prompt or judge  
Use positive body language and reflective statements to demonstrate you are listening

### REPORT

Once a learner has made a disclosure, report to a member of the safeguarding team or at:  
T\_safeguarding@merthyr.ac.uk

### RECORD

Record the concern/disclosure on myConcern as soon as possible. The concern will be investigated by a DSL.

Remember:

- Be factual
- Do not give personal opinion
- Provide times, place, who is involved etc.

<https://www.myconcern.education/Account/Login?ReturnUrl=%2f>

## **Appendix 1**

### **Legislation & Guidance \* not exhaustive**

Keeping Learners Safe Guidance 2020

Wales Safeguarding Procedure 2019

Education Act 2002

EWC Staff Code of Conduct

Social Services & Well-being (Wales) Act 2014

Well-being of Future Generations (Wales) Act 2015

Equality Act 2010

Rights of Children & Young Persons (Wales) Measure 2011

Children Act 1989

Prevent Duty Guidance for England and Wales (revised July 2015)

Sexual Offences Act 2003

## **Appendix 2**

### **Links to other college policies**

The following policies and guidelines are of particular importance:

General Data Protection Regulations (GDPR) Policy and Privacy Notice

Dignity at work policy

Dignity at study policy

Attendance Policy

Disciplinary procedure

EWC Staff Code of Conduct

PREVENT Protocol

Grievance procedure

Social Media Policy

Acceptable IT Use Policy

Personal Relationships Policy

Whistleblowing Policy

## Appendix 3

### Categories of Abuse

The following categories of abuse are recognised for the purposes of the Child 'At Risk Register' (a register of children at risk of abuse which is maintained by the local Social Services Department or by the National Society for the Prevention of Cruelty to Children (NSPCC) on behalf of the local Social Services Department).

#### **Neglect:**

Neglect means persistently failing to meet a child's basic, physical, emotional, social or psychological needs which is likely to result in an impairment of the person's wellbeing. It includes the failure to access medical or dental care services, negligence in the face of risk-taking, leaving the child unsupervised or with unsuitable carers, failure to give prescribed medication, failure to maintain the child's personal hygiene or the provision of food, shelter, clothing and making sure the child receives a suitable education.

#### **Physical Abuse:**

Actual or likely physical injury to a child, (severe bruising, cuts, burns, broken bones with no reasonable or rational explanation). Physical abuse also includes overuse or misuse of medication making them unwell (fabricated or induced illness). Acts of undue restraint or inappropriate sanctions may also fall within this category.

#### **Sexual Abuse**

Sexual abuse is forcing or enticing a child to take part in sexual activities. It doesn't necessarily involve violence and the child may not be aware that what is happening is abuse.

Child sexual abuse can involve contact abuse and/ or non-contact abuse. **Contact abuse** happens when the abuser makes physical contact with the child, eg sexual touching any part of the body. **Non-Contact abuse** involves non-touching activities. It can happen on-line or in person, eg encouraging a child to watch or hear sexual activities

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

Emotional abuse is persistent and over time can severely damage a child's emotional health and development. It can involve threats of harm or abandonment, coercive control, humiliation and constantly criticizing, verbal or racial abuse and isolation. Exposing a child to distressing events or interactions such as drug taking, heavy drinking or domestic abuse. Being cold and emotionally unavailable during interactions with a child and never saying anything positive, kind or encouraging.

#### **Financial Abuse**

Young people may be vulnerable and often not aware of the risk of financial abuse. Financial abuse may also be parts of other forms of abuse and may include controlling access to their finances such as cash, bank accounts and misappropriating direct payments.

#### **Child Sexual Exploitation**

Sexual exploitation can occur when children and young people are forced/manipulated into sexual activity for money, power or status. Consent cannot be given (under the age of 18 years) even where a young person believes they are voluntarily engaging in sexual activity with the

person who is exploiting them Sexual exploitation does not always involve physical contact and can happen online.

### **Sexting**

This generally refers to the sending of sexually explicit images via text, email, instant messaging (e.g. Google Hangouts, WhatsApp or Facebook Messenger) or through social networking sites. Young people (under 18) texting intimate pictures of themselves via social media are committing a criminal offence (distribution of child pornography) and can face police action even if their actions are entirely voluntary.

### **Radicalisation**

This is the action or process of causing someone to adopt radical positions on political or social issues.

Terrorism is the unlawful use of violence and intimidation, especially against civilians, in the pursuit of political aims. The college has a duty to *Prevent* people being drawn into terrorism. This is done through training our staff and working with learners to recognise the signs of radicalisation.

### **County Lines**

This is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”. They are likely to exploit children and vulnerable adults to move [and store] the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

### **Cyber bullying**

This is where aggressive, intentional acts are carried out by an individual or a group via electronic forms of communication over a period of time. It can have a negative impact on the individual affecting self-esteem, fear, changes in behavior, depression and self harm. Staff need to ensure learners are made aware that they can report incidences so they can be dealt with swiftly.

## Appendix 4

### Recruitment and Selection Procedures

The College will have in place recruitment procedures which will ensure that every care is taken to ensure that young people and vulnerable adults are protected from unsuitable people.

The recruitment procedures will apply to all staff and volunteers within the College who may work with young people or vulnerable adults. The recruitment procedures will include the following:

- Identity check;
- The post or role will be clearly defined;
- The key selection criteria for the post or role will be identified;
- The requirement to produce documentary evidence of academic/vocational qualifications;
- Obtaining professional and character references;
- Verification of previous employment history;
- Standard Disclosure and Barring Scheme (DBS), checks for any applicant or adult volunteer applying to work/volunteer to liaise with young people or vulnerable adults whilst maintaining sensitive and confidential use of the applicant's disclosure
- Enhanced DBS check where the applicant or volunteer is applying to work in regulated activity
- Use of a variety of selection techniques (e.g. qualifications, previous experience, interview, reference checks).
- As a result of the introduction of the DBS:  
The College must not knowingly employ, or use as a volunteer, a person who has been barred from working with young people and vulnerable adults in regulated activity.

## Appendix 5

### Safeguarding Team & Contacts

Designated Safeguarding Person (DSP)

Sara Fowler

Vice Principal, Resources

[T\\_safeguarding@merthyr.ac.uk](mailto:T_safeguarding@merthyr.ac.uk) 01685 726107 ext 6107

Operational Safeguarding Lead

Lynne Lloyd

Head of Wellbeing & Learner Support Services

[T\\_safeguarding@merthyr.ac.uk](mailto:T_safeguarding@merthyr.ac.uk) 01685 726011 ext 6011

Designated Safeguarding Leads

Caroline Donaldson

Rosana Lewis

Christian Philips

Caryl Rowlands

[T\\_safeguarding@merthyr.ac.uk](mailto:T_safeguarding@merthyr.ac.uk)

WBL Safeguarding Officers

Allan Jones

[Allan.jones@tydfil.com](mailto:Allan.jones@tydfil.com)

Mandy Johnson

[mandy.johnson@tydfil.com](mailto:mandy.johnson@tydfil.com)

**Emergency safeguarding procedures will apply during college holiday shutdowns. If your concern is urgent and there is immediate risk of harm, contact the police on 999. If the concern is less urgent, please call the police on 101 to undertake a welfare check**





