

# Safeguarding - Policy for the Protection of Children and Vulnerable Adults

Updated: August 2010

## 1. Purpose

The purpose of this policy is to provide a framework that informs procedures related to Tower Hamlets College's legal obligation to protect children and vulnerable adults who are suffering forms of abuse as defined in the Children's Act 1989 and the Protection of Vulnerable Adults Scheme 2004.

## 2. Scope

This policy applies to all staff, Governors and others who work in direct contact with learners in the College. Abuse may take place both outside and inside of the College setting. Everyone who is part of the College community is responsible for safeguarding, promoting and protecting the welfare of children and vulnerable adults.

## 3. Legal Framework

Colleges have a duty, under the Children's Act 1989, to promote and safeguard the welfare of children and young people under the age of 18. It also has a duty, under the Protection of Vulnerable Adults Scheme 2004, to promote and safeguard the welfare of vulnerable adults. The Education Act 2002 requires governing bodies of further education colleges to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children and young people. The Children Act 2004 requires agencies to work co-operatively to protect the welfare of children. Guidance published following Lord Laming's report into the death of Victoria Climbié made it clear that although social services and the Police are responsible for investigating child abuse and neglect, all those who come into contact with children and young people have a duty to promote and safeguard them.

The College is committed to the government national framework for change outlined in Every Child Matters: Change for Children.

Tower Hamlets College adheres to the London Child Protection Committee guidelines.

**See also:**     **Health and Safety policy**  
                  **Data Protection Act**

## 4. Principles

The College recognises that for young people who have been abused, or who are being subjected to abuse, College may be the only stable and secure element in their lives. The College's Safeguarding policy and procedure is based on the following principles:

- an ethos that promotes a positive, supportive and secure environment where learners feel valued
- liaison with other agencies that support learners, such as social/children's services
- all allegations and suspicions of abuse taken seriously, and responded to swiftly and appropriately.

There are five main elements to the policy:

- ensuring the College practices safe recruitment in checking the suitability of staff and volunteers to work with young people
- raising awareness of child protection issues amongst staff
- developing and implementing procedures for identifying and reporting cases or suspected cases, of child abuse
- supporting the young person who has been abused
- establishing a safe environment in which young people can learn and develop, where they are able to talk and be listened to

**See also:**     **Student Charter**  
                   **Staff Code of Conduct**  
                   **Staff Induction**

## 5.     **Definitions**

The following definitions apply throughout the Safeguarding policy and associated procedures:

### **Child or Children:**

The Children Act 1989 defines a child as a person under eighteen for most purposes.

### **Vulnerable Adult or Adults:**

The Protection of Vulnerable Adults Scheme (PoVA 2004) defines a vulnerable adult as a person aged 18 or over who has a condition of the following type:

- a substantial learning or physical disability
- a physical or mental illness or mental disorder, chronic or otherwise, including addiction to alcohol or drugs
- a significant reduction in physical or mental capacity.

### **Forms of abuse:**

The Children Act 1989 defines four types of abuse: physical, emotional, sexual and neglect.

### **Physical Abuse:**

Physical abuse may take many forms e.g. hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating.

It may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child or vulnerable adult. This unusual and potentially dangerous form of abuse is now described as fabricated or induced illness.

### **Emotional Abuse:**

Emotional abuse is persistent emotional ill treatment causing severe and persistent effects on the child or vulnerable adult's emotional development and may involve:

- conveying the message that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person
- imposing developmentally inappropriate expectations
- causing the child or vulnerable adult to feel frightened or in danger – e.g. witnessing domestic violence
- exploitation or corruption of children or vulnerable adults

Some level of emotional abuse is involved in most types of ill treatment, although emotional abuse may occur alone.

**Sexual Abuse:**

Sexual abuse involves forcing or enticing a child or vulnerable adult to take part in sexual activities, whether or not they are aware of what is happening and includes penetrative (i.e. vaginal or anal rape or buggery) and non penetrative acts.

It may also include non-contact activities, such as looking at, or being involved in the production of pornographic materials, watching sexual activities or encouraging children or vulnerable adults to behave in sexually inappropriate ways.

**Neglect:**

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

## 6. Responsibilities

**NB: All members of the College community, including staff, governors, students and contract staff, are responsible for safeguarding and promoting the welfare of children and vulnerable adults.**

**All staff:**

All staff who come into contact with children and vulnerable adults in their everyday work have a duty to safeguard and promote the welfare of children and vulnerable adults. Staff will be trained to understand their responsibilities. Failure to comply with these responsibilities will be seen as a serious matter which may lead to disciplinary action. Staff are expected to:

- attend safeguarding training as required
- familiarise themselves with the Safeguarding policy and associated procedures
- safeguard and promote the welfare of children and vulnerable adults and
- alert the Designated Safeguarding Officers if they have concerns about a child or vulnerable adult

**Lecturers, Tutors and Student Support Workers:**

These staff are responsible for ensuring that their learners are aware of the services they can approach for support.

**Designated Safeguarding Officers:**

The Director of Student Services plus four other members of staff are designated as the staff responsible for safeguarding children and vulnerable adults and dealing with safeguarding issues. They are known as Designated Safeguarding Officers.

Designated Safeguarding Officers act as the College's source of support, advice and expertise on safeguarding issues, and are responsible for dealing with allegations or suspicions of abuse. They attend training as appropriate, liaise with the Principal and other College departments where necessary, and make referrals to external agencies. Other aspects of their role include:

- obtaining information from staff, volunteers, children, parents or carers who have concerns relating to the protection of children or vulnerable adults, and to record this information
- assessing information quickly and carefully and asking for further information where appropriate

- consulting with a statutory child protection agency e.g. the local social services department, to clarify doubts or worries
- making referrals to statutory child protection agencies or the police without delay

Designated Safeguarding Officers have contact telephone numbers for the local Area Safeguarding Children's Board and other statutory agencies.

#### **The Principal:**

The Principal is responsible for ensuring that:

- the College's Safeguarding policy and procedures are fully implemented and followed by staff
- Designated Safeguarding Officers have sufficient time and resources to carry out their roles
- all staff feel able to raise concerns about the safety of children and vulnerable adults
- such concerns are dealt with sensitively, effectively and in a timely manner.

#### **The Governing Body:**

College Governors are responsible for ensuring that:

- the College has a safeguarding policy and procedures in place, which includes safe recruitment and dealing with allegations of abuse against members of staff
- the College has appointed Designated Safeguarding Officers.

## **7. Safe recruitment of staff**

Tower Hamlets College undertakes to ensure that its staff are fit to work in a College setting with children and vulnerable adults. It also reserves the right to refuse to employ staff whom it has a reasonable belief may pose a risk to its learners.

The College has systems in place to prevent unsuitable people from working with children or vulnerable adults and to promote safe practice. These systems apply to all new staff and require the following checks to be made on appointment:

- a minimum of two references, satisfactory to the College, one of which should be from a previous employer
- documentary evidence checks of identify, nationality, residency and "right to work" status
- standard or enhanced CRB Disclosure\*
- a check against the Vetting and Barring Lists (The Children's List and/or The Vulnerable Adults' List)
- documentary evidence of qualifications
- satisfactory completion of the probationary period

\* There are two levels of Disclosure: standard and enhanced.

#### **Standard Disclosure**

Standard Disclosures can be obtained for individuals carrying out "controlled activities". These are posts that do not involve teaching, training, supervising or being in sole charge of children/vulnerable adults, but which bring the postholder into frequent contact with children/vulnerable adults. Standard Disclosures may also be issued for people entering certain professions such as members of the legal and accountancy professions.

The standard Disclosure contains details of all convictions held on the Police National Computer including current and spent convictions as well as details of any cautions, reprimands or final warnings.

### **Enhanced Disclosures**

Enhanced Disclosure can be obtained for individuals carrying out “regulated activities”. Examples of regulated activities include posts that involve teaching, training, instruction, care, supervision, advice, treatment, therapy or transport and which are carried out frequently, intensively and/or overnight. Checking of The Children’s List and/or Vulnerable Adults List will form part of the Enhanced Disclosure process. Enhanced Disclosures also involve an additional check on local police records to those carried out for the Standard Disclosure. Where local police records contain additional information that might be relevant to the post the applicant is being considered for, the Chief Officer of Police may release information for inclusion in an enhanced Disclosure. Exceptionally, and in a very small number of circumstances (typically to protect the integrity of current police investigations), additional information may be sent under separate cover to the Countersignatory. This information must not be revealed to the applicant.

For individuals who have lived outside of the UK, further checks are carried out, where appropriate, if a CRB Disclosure is not felt to be sufficient to establish suitability to work with children, young people or vulnerable adults.

In accordance with the Regulations, records of all checks carried out are kept centrally in the Human Resources department.

**See also: Criminal Records Bureau (CRB) policy  
Recruitment of Ex-Offenders policy**

## **8. Staff Development and Training**

All staff and workers who come into direct contact with learners must undertake training on the subject of safeguarding and the College’s procedures. The College’s Safeguarding policy, procedure and accompanying guidance will be issued to all new staff as part of their induction.

**See also: Induction policy**

## **9. What to do if you suspect someone is being abused**

All staff, volunteers and others working in direct contact with learners in the College environment must be alert to the signs of abuse. Anyone who suspects that abuse is taking place inside or outside of the College setting, or to whom a learner discloses issues relating to safeguarding, should contact one of the Designated Safeguarding Officers immediately.

**The Lead Designated Safeguarding Officer is:**

Nick Steward – Director: Student Services  
Tel: 020 7510 7829

## **Designated Safeguarding Officers are:**

Christina Ajagbe – Senior Curriculum Manager: Tutorial Support  
Tel: 020 7510 7655

Naema Choudhury – Student Advisor  
Tel: 020 7510 7907

Muir Forrest – Senior Curriculum Manager: Additional Learning Support  
Tel: 020 7510 7628

Philip Martinez – Senior Curriculum Manager: Additional Learning Support  
Tel: 020 7510 7545

Staff who are not Designated Safeguarding Officers, but who are approached with concerns about a child or vulnerable adult, must bring the concerns raised to the attention of one of the Designated Safeguarding Officers immediately.

All staff to whom a learner discloses issues that may be related to safeguarding must keep written records of concerns. Such records must be kept securely, separate from the main learner files and in locked locations.

The Lead Designated Safeguarding Officer will develop effective links with relevant agencies and co-operate as required with any enquires regarding child or vulnerable adult protection matters, including attendance at case conferences.

**See also:     Safeguarding Children and Vulnerable Adults – Procedure for reporting allegations or suspicions of abuse**

## **10. Allegations of abuse against members of College staff:**

Allegations of abuse, or concerns raised against members of College staff, will always be treated seriously. The allegation must always be referred to one of the Designated Safeguarding Officers who will follow the Safeguarding Procedure in the same way as for other safeguarding allegations. The Designated Safeguarding Officer will take the appropriate steps to ensure the safety of the child or vulnerable adult, and any others who may be at risk. The Designated Safeguarding Officer will also inform the Director of Human Resources (or the Human Resources Manager in the absence of the Director) in order that College procedures may be followed, and a Disciplinary Investigation is carried out.

If the allegation or concern is against one of the Designated Safeguarding Officers, it should be reported to the Principal.

Where there is a complaint against a member of staff there may also be criminal (police) investigations and/or a child/vulnerable adults protection investigation, carried out by Social Services.

**See also:     Consensual Relations policy  
Disciplinary procedure  
Staff Code of Conduct  
Student Complaints procedure**

## **11. Reporting cases to the Independent Safeguarding Authority**

Tower Hamlets College has a statutory duty to make reports, and provide relevant information to the Independent Safeguarding Authority (ISA) where there are grounds for believing, following an investigation, that an individual is unsuitable to work with children or vulnerable adults, or may have committed misconduct. The responsibility for reporting cases to the ISA lies with the Director of Human Resources.

The Independent Safeguarding Authority make barring decisions for The Children's List Section and The Vulnerable Adults List.

## **12. Resignations**

If, during the course of an investigation relating to safeguarding, an employee tenders his or her resignation, or ceases to provide their services, the College is not prevented from following up an allegation in accordance with these procedures. Every effort will be made to reach a conclusion in cases relating to the welfare of children or vulnerable adults, including those where the person concerned refuses to co-operate with the process.

## **13. Whistleblowing**

Tower Hamlets College has an established Whistleblowing procedure for enabling staff to share, in confidence with a Designated Assessor, concerns they may have about instances of suspected malpractice in the College. Malpractice can include fraud and financial irregularities, criminal offences being committed, that have been committed or that are likely to be committed, endangering the health or safety of individuals, and can also include concerns around the protection of children or vulnerable adults.

The procedure is intended to provide safeguards to enable members of College staff to raise concerns without fear of adverse repercussions. The College recognises that it may be difficult to express concerns about colleagues, and is fully supportive of Whistleblowing for the sake of a child or vulnerable adult, and will provide support and protect those who "blow the whistle". This procedure is, accordingly, intended to provide safeguards to enable members of staff to raise concerns about malpractice in connection with the College.

The aim is to provide a rapid mechanism under which genuine concerns can be raised internally, and, if necessary, externally without fear of adverse repercussions to the individual. It is also intended to promote throughout the College a culture of openness and a shared sense of integrity by inviting all employees to act responsibly in order to uphold the reputation of the College and maintain public confidence.

**See also: Whistleblowing (Public Interest Disclosure Act) policy**

## **14. Support for Staff**

The College is aware that safeguarding cases can be distressing and that staff who have been involved may find it helpful to talk about their experiences, in confidence, with one of the Designated Safeguarding Officers or with a trained counsellor. Staff wishing to be referred for counselling should contact Human Resources.

## **15. Equality of Opportunity**

All children and vulnerable adults, as part of the College community, have the right to be safeguarded from harm and exploitation whatever their race, religion, gender, sexuality, age, or disability. This policy relates to the College's legal obligation to protect children who are suffering forms of abuse as defined in the Children Act 1989 and is therefore in line with the College's equality and diversity policies.

**See also:**     **Age Equality policy**  
                  **Equal and Diversity Policy and Single Equality Scheme**  
                  **Gender Re-Assignment and Transgender policy**  
                  **Recruitment of Ex-Offenders**  
                  **Religion and Belief policy**  
                  **Sexual Orientation policy**

### **Review**

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