

## Policy Review Aim of Policy

This policy will be reviewed in full annually

The policy was last reviewed and agreed by Adam Russell, Head of Quality on 6<sup>th</sup> August 2018

It is due for review in August 2019

## Working with children and vulnerable adults policy

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## 1. Introduction

The Academy carries out activities which bring our employees and people working on behalf of our organisation into regular unsupervised contact with children and/or vulnerable adults. The Academy seeks to ensure that we offer a positive environment for all learners to learn, work and socialise, and works with the London Borough of Camden to implement best practice in the safeguarding of children and vulnerable adults in line with the pan London guidelines.

This policy is non-contractual but indicates the way in which BusinessHR intends to deal with such matters. It should be read in conjunction with any further guidelines we issue on working with children and vulnerable adults.

## **2. Scope of this policy**

This policy applies to all employees, workers or volunteers whose duties bring them into contact with children and/or vulnerable adults.

## **3. Aims of this policy**

This policy aims to create and maintain the safest possible environment for the children and vulnerable adults with whom we deal, as well as for our employees and workers, and all reasonable steps will be taken to prevent all parties from harm.

Although the British Academy of Jewellery is predominantly an adult Academy, young people actively participate in provision. The Academy also has a large provision for adult learners who have a learning difficulty, disabilities and complex needs.

The Academy recognises that learners within the safeguarded group face an ever-present risk abuse. It is the duty of every member of staff to prevent abuse and to take effective action when abuse is suspected or disclosed. We are committed to creating and maintaining the safest possible environment for these people, as well as for our employees and workers, and all reasonable steps will be taken to prevent all parties from harm.

## **4. Legal considerations**

There is a considerable body of legislation designed to ensure that children and vulnerable adults are protected and it is important to understand that everyone is responsible for their safety. The main pieces of legislation that affect this policy are: of legislation that affect this policy are:

- the Health and Safety at Work etc Act 1974 (HASAWA)
- the Rehabilitation of Offenders Act 1974
- the Children (Protection from Offenders) (Miscellaneous Amendments) Regulations 1997
- the Police Act 1997
- the Working Time Regulations 1998
- the Protection of Children Act 1999/Criminal Justice and Court Services Act 2000
- the Care Standards Act 2000
- the Conduct of Employment Agencies and Employment Business Regulations 2003
- the Safeguarding Vulnerable Groups Act 2006 (VBS)
- the Protection of Freedoms Act 2012
- also the United Nations Convention on the Rights of the Child.

In addition, special rules apply to the working time and breaks for any young people who work for us.

## **5. Definitions**

A "child" is anyone under the age of 18.

A "vulnerable adult" is a person aged 18 years or over who is:

- in residential accommodation provided in connection with care or nursing or receiving care or nursing at home
- receiving health care
- in lawful custody or under the supervision of a probation officer
- receiving a welfare service of a prescribed description or direct payments from a social services authority
- receiving services, or taking part in activities, aimed at people with disabilities or special needs because of their age or state of health.

It may be a person who is unable to take care of him/herself, or unable to protect him/herself against significant harm or exploitation. He/she may be elderly or frail, have learning disabilities, suffer from mental illness, have a physical disability, be a substance misuser, be homeless or in an abusive relationship.

## **6. Criminal records**

Those who are involved in work situations where they have sustained or prolonged unsupervised access to children or vulnerable adults are exempt from the Rehabilitation of Offenders legislation. This means that prospective employees, self-employed contractors and volunteers must declare all criminal convictions, however long ago; and these will be taken into account when deciding on their suitability for working with children or vulnerable adults. No-one will be permitted to undertake a role which involves regular contact with children or vulnerable adults without a satisfactory Disclosure and Barring Service (DBS) check.

However, a criminal record may not prevent a person from working for the Academy in any other capacity: if that person is then asked to undertake tasks which will bring him/her into unsupervised contact with children or vulnerable adults, such as work experience placements, any record must be declared to the Principal / Director who will take appropriate advice where necessary and will decide whether this task should be allocated to another member of staff.

## **7. Prevention**

The Academy employs various strategies to control the risk of abuse and target the causes and opportunities for abuse and neglect. These include:

- Communication with the Academy community about the nature of abuse and

- Academy safeguarding activity
- Embedding the principles of safeguarding into management expectations and professional practice
- Joint training for Academy employees and employees of partner organisations
- Awareness raising training for all Academy employees
- Learner/activity risk assessments prior to the start of learning programmes
- Training for young people and adults who may be at risk of abuse on personal safety, health and wellbeing
- Monitoring local reports of abuse and researching their causes

Employees who take demeaning or degrading photographs of learners will be subject to the Academy's disciplinary procedures. To prevent any person being photographed in circumstances which may compromise their dignity or confidentiality the use of all photographic equipment must be sanctioned by the Principal \ Director and in consultation with the individual concerned and their family.

### **Targeted Prevention**

Prevention strategies are specifically targeted at staff working with children/young people and/or adults at risk. This is because research shows that a significant number of abuse incidents involve professionals, carers and service managers.

Targeted Prevention Strategies include:

### **Employee Recruitment**

- a DBS check will be obtained for all new and existing appointments (current staff members have checks repeated every four years) to the Academy's workforce;
- an up to date single central record will be maintained, detailing a range of checks carried out on Academy staff;
- anyone appointed to the Academy workforce who has lived outside the UK will be subject to additional checks as appropriate;
- the Academy will ensure that contract/agency staff have undergone the necessary checks and have been made aware of this policy;
- identity and employment history checks will be carried out on all appointments to the Academy workforce before the appointment is made.
- The Academy reinforces expectations of employees through rules for conduct and practice which, if broken, could lead to disciplinary action.
- Employee Training and Induction. On joining the organisation and when necessary thereafter, employees are provided with training regarding professional standards, policy and procedures and how to address the possibility of abuse.
- Employee Supervision and Support. All employees working with learners who may be at risk of abuse or neglect receive specialist training and regular supervision sessions from their line manager where they are supported in reflecting on their practice and areas for improvement.

## Safe Practice

Safe working practice ensures that students are safe and that all staff:

- are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions;
- work in an open and transparent way;
- work with other colleagues where possible in situations open to question;
- discuss and/or take advice from Academy management over any incident which may give rise to concern;
- record any incidents or decisions made;
- apply the same professional standards regardless of gender or sexuality;
- are aware of the confidentiality policy;
- are aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

## 8. Roles and responsibilities

**The Managing Director will ensure that:**

- the Academy has a safeguarding policy and procedures in place that are in accordance with the appropriate Local Safeguarding Board and locally agreed inter-agency procedures, and the policy is made available to parents/carers on request;
- the Academy has procedures for dealing with allegations of abuse against staff and volunteers that comply with guidance from the local authority and locally agreed inter-agency procedures;
- they remedy, without delay, any deficiencies or weaknesses regarding safeguarding arrangements;
- another director is nominated to be responsible for safeguarding who will provide an overview and scrutiny and take action in the event of allegations of abuse being made against the Principal;
- they review their policies and procedures annually

**The Safe Guarding Officer and management will ensure that:**

- the policies and procedures adopted by the Principal are fully implemented, and followed by all staff;
- the safeguarding policy is updated and reviewed annually and work with the Principal regarding this;
- the Academy operates safe recruitment procedures and makes sure that all appropriate checks are carried out on staff and volunteers who work with young people and vulnerable adults;
- Safeguarding Officers are in place;
- staff undertake appropriate safeguarding training;
- sufficient resources and time are allocated to enable the designated person/s and other staff to discharge their responsibilities; and
- all staff and volunteers feel able to raise concerns about poor or unsafe practice in regard to safeguarding, and such concerns are addressed sensitively and effectively in a timely manner where services or activities are provided on the Academy premises by another body, the body concerned has appropriate policies and

procedures in place in regard to safeguarding and liaises with the Academy on these matters where appropriate.

**The Equality and Diversity Officer will:**

- act as a source of support , advice and expertise within the educational establishment;
- liaise with the Principal to inform her of any issues and ongoing investigations and ensure there is always cover for the role of Safeguarding Officers;
- refer cases of suspected abuse or allegations to the relevant investigating agencies;
- ensure that the curriculum covers how to keep safe and how to use the Safeguarding procedures;
- ensure that all staff have access to and understand the Academy's Children and Vulnerable Adults Safeguarding Policy;
- ensure that all staff have induction training;
- ensure parents, guardians or named responsible adults are made aware of the policy which alerts them to the fact that referrals may be made and the role of the establishment in this to avoid conflict later.

**The Academy staff will**

- recognise how to identify signs of abuse and when it is appropriate to make a referral;
- keep detailed, accurate and secure written records and/or concerns;
- undertake investigations as directed by the Principal;
- obtain access to resources and attend any relevant or refresher training courses at least every two years;
- As part of the Safeguarding Team, plan and implement training for young people and vulnerable adults on staying safe at the Academy.

**All staff and volunteers will:**

- work in an open environment, where possible avoiding private and unobserved situations;
- treat all students fairly with dignity and respect;
- not share personal information and personal e-mail addresses/facebook friends/personal mobile;
- keep a written record of any injury or incident (including verbal attacks) along with any steps taken;
- fully comply with the Academy's policies and procedures, including their line manager of any injury or incident;
- attend appropriate training;
- be alert and vigilant to indicators of abuse;
- report all concerns or possible indicators of abuse to a Academy Safeguarding Officer.

It is the responsibility of all employees to be alerted to possible indicators of abuse and to raise concerns to The Academy Safeguarding Officer. Staff members may become aware of the possibility that abuse has occurred by witnessing an act, receiving a verbal report from a learner or member of staff or by suspicions raised by indicators listed in the guidelines associated with this policy.

## **9. Planning and supervision**

All activities or assignments involving children or vulnerable adults should be planned in advance to ensure they take into account the age range and ability of the participants. Staff, volunteers or freelancers supervising assignments involving children/vulnerable adults should be competent and trained to do so. Supervision should take account of the age, gender, nature of the activity and any special needs of the individuals. Where appropriate, a risk assessment will be undertaken and documented.

All workers should avoid working alone with a child or vulnerable adult wherever possible. If it is not avoidable they should plan their work so that at least two adults are present at any time, where possible including an Academy employee. If possible, the worker should also move to a workstation where he/she and the child/vulnerable adult can both be seen by other colleagues or other adults. This guidance applies also to transport in vehicles - workers should not offer to transport a child or vulnerable adult anywhere unless accompanied by a further person or as part of a formal arrangement.

## **10. Physical contact**

On no account should any employee, worker or volunteer have any physical contact with a child or vulnerable adult unless it is to prevent accident or injury to themselves or anyone else (eg to prevent a fall), or in the case of medical assistance being needed (eg to administer first aid), or to provide nursing or other general care, in which case the prior consent of the affected person should be requested where possible. Where appropriate, consent from parents or those with parental or caring responsibility should be obtained.

If a child/vulnerable adult is hurt or distressed, the worker should do his/her best to comfort or reassure the affected person without compromising his/her dignity or doing anything to discredit the person's own behaviour.

## **11. Communication**

Communication with children/vulnerable adults is vital in establishing relationships built on trust. Those working with children or vulnerable adults should listen to what they are saying and respond appropriately. Children and vulnerable adults are entitled to the same respect as any employees, workers and volunteers. It should also be made clear to them what standards of behaviour and mutual respect are expected from them.

Those working with children/vulnerable adults should behave appropriately, ensure that language is moderated in their presence and should refrain from adult jokes or comments which are clearly unsuitable.

Workers should also note that what may be acceptable language to their friends may not be regarded as such to those of an older generation.

## **12. Behaviour and abuse**

We should all aim to promote an environment of trust and understanding. Those working with children/vulnerable adults should not tolerate unsociable behaviour but should try to ensure good working relationships.

All staff, workers and volunteers at the Academy have a strict duty never to subject any child/vulnerable adult to any form of harm or abuse. This means that it is unacceptable, for example, to treat a child/vulnerable adult in any of the following ways:

- to cause distress by shouting or calling them derogatory names
- to slap
- to hold them in such a way that it causes pain, or to shake them
- to physically restrain them (except to protect them from harming themselves or others)
- to take part in horseplay or rough games
- to allow or engage in inappropriate touching of any kind
- to do things of a personal nature for the person that they can do for themselves (this includes changing clothing, or going to the toilet with them unless another adult is present)
- to allow or engage in sexually suggestive behaviour within a person's sight or hearing, or make suggestive remarks to or within earshot
- to give or show anything which could be construed as pornographic
- to seek or agree to meet them anywhere outside of our normal workplace without the full prior knowledge and agreement of the parent, guardian or carer
- to engage with them online in an unacceptable manner.

### **13. Suspicions of abuse**

Any worker who witnesses or suspects abusive behaviour towards a child/vulnerable adult should record the details and report it to the Safeguarding Officer. If a worker has suspicions, he/she must act on these and not ignore a potentially very serious situation. It is NOT the individual's responsibility to decide how serious the matter might be nor to investigate his/her suspicions - this requires expertise he/she is not expected to have.

Any allegations of abuse made against anyone working for the Academy will be thoroughly investigated and dealt with through our disciplinary procedure. Serious breaches may lead to dismissal.

The Safeguarding Officer will appropriately record an allegation or reported incident. He/she will be responsible for contacting the statutory child protection agency such as the Local Safeguarding Children Board or the police if necessary.

We will aim to maintain any request for witness anonymity, where appropriate and possible, and to provide support if required.

#### **14. Safety**

The safety of the people we work with is paramount and we are committed to providing a safe environment within which to work. Those working with children/vulnerable adults should ensure all appropriate risk assessments and security checks have been carried out prior to any assignment. This could include first aid cover and accident reporting.

If transporting children/vulnerable adults, the transport should be checked to ensure it is roadworthy and adequate for the purpose. Any equipment used must be safe and only used for the purpose for which it is intended. Users should be adequately trained. Appropriate insurance should be up to date and adequate to cover such assignments.

#### **15. Confidentiality**

All personal information regarding children/vulnerable adults is highly confidential and should only be shared with appropriate people on a need to know basis. Information will be stored in the Management Office, access limited to management and will only be kept for as long as is needed.

Anyone who is likely to have access to confidential material regarding children or vulnerable adults, or any of the bodies on behalf of whom the Academy is working, will be required to sign a non-disclosure agreement. The requirement for confidentiality is emphasised

#### **16. Contact outside of work**

Contact should not be made with any of the children/vulnerable adults with whom we are working for any reason unrelated to the particular work. In particular, staff are required to maintain our reputation for integrity and responsibility in dealing with such people, and should not enter into any social or other non-work related arrangements with them.

#### **17. Gifts and inducements**

On no account should anyone from the Academy give a child/vulnerable adult a gift or buy refreshments etc which could be in any way considered as a bribe or inducement to enter into a relationship with the the Academy person or give rise to any false allegations of improper conduct against the individual.

#### **18. Communicating this policy and concerns**

All staff, workers and volunteers at the Academy will be made aware of this policy and a copy will be available P drive Policy folder.

Furthermore, a copy of this policy will be given to all relevant bodies with whom we work and will be made available to parents and carers of children/vulnerable adults with whom we plan to work.

Any concerns about the assignment or people involved should be addressed with a manager or the Principal.

### **19. Breach of this policy**

Failure to follow the guidelines in this policy is considered a serious offence and will be investigated thoroughly and dealt with through our disciplinary procedure. Serious breaches may lead to dismissal (for employees) and termination of any agreement (for workers or volunteers).

### **20. Related policies**

We also have the following related policy: equal opportunity.

### **21. Implementation, monitoring and review of this policy**

This policy will take effect from 1<sup>st</sup> March 2014. The Principal / Director has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation (at least annually) and additionally whenever there are relevant changes in legislation or to our working practices.

Any queries or comments about this policy should be addressed to the Principal / Director.