



Joint Learning
Management & Training Services

June 2011

SAFEGUARDING CHILDREN AND VULNERABLE PEOPLE POLICY 2011-2013

Promoting Respect and Fairness

Joint Learning has a duty under section 11 of the Children Act 2004 to ensure that their functions, and services provided on their behalf, are discharged with regard to the need to safeguard and promote the welfare of children.

If you require this information in an alternative version such as Easy to Read, large print, Braille, audiotape, or help in understanding it in your language, please contact the Operations Director, [Tel:01704 562696](tel:01704562696)

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Glossary

This glossary defines some of the key terms in the Policy.

Abuse and neglect

Form of maltreatment of a child or vulnerable adult.

Child (ren)

Anyone that has not reached their 18th birthday.

Vulnerable Adult

Any person aged 18 or over who:

- is or appears to be eligible for Local Authority/Mental Health Services' assistance by reason of mental ill health, physical or learning disability, illness or age related frailty and
- may be unable to take care of him/herself or unable to protect him/herself against significant harm or exploitation.

Employees

Those employed by Joint Learning, its Sub-Contractors, as well as volunteers involved in the delivery of learning activities or in its premises or facilities. Contractors should also meet these guidelines or have their own arrangements, which meet the requirements of this policy.

Local authority

County, city, district and borough councils.

Parent

Generic term to include birth parents, stepparents and carers. The term will specify parental responsibility where necessary.

Safeguard and promote the welfare of children

The process of protecting from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care which is undertaken so as to enable children to have optimum life chances and enter adulthood successfully.

Adult Social Care

The Adult Social Care, Local safeguarding children boards (LSCB) helps people who need extra support, or vulnerable people to live as independently as possible.

<http://www.dcsf.gov.uk/everychildmatters/safeguardingandsocialcare/safeguardingchildren/localsafeguardingchildrenboards/lscb/>

1.0 Introduction

- 1.1 Joint Learning has a duty under section 11 of the Children Act 2004 to ensure that their functions, and services provided on their behalf, are discharged with regard to the need to safeguard and promote the welfare of children.

Joint Learning also has the responsibility to work with partners to ensure that vulnerable adults, who are at risk of abuse, receive protection and support.

Joint Learning is committed to ensuring that all children and vulnerable adults are protected and kept safe from harm.

We have a responsibility to safeguard and promote the well being of children and vulnerable adults so that they enjoy a safe and positive environment free from harassment and bullying. However, we recognise that not all children and vulnerable adults have positive experiences in their life. We are committed in our role to promote the welfare of children and vulnerable adults by encouraging good practice.

Guidance on safeguarding and promoting the welfare of children in specific circumstances, such as domestic violence, substance misuse etc can be found on the Joint Learning website by visiting www.jointlearning.co.uk

1.2 The aims of this policy are to:

- Implement and maintain systems of working practice to safeguard children and vulnerable adults at Joint Learning activities,
- Ensure that children/adults and their parents have confidence in Joint Learning, policies and practices in respect of the safe supervision of children and vulnerable adults,
- Ensure that concerns about abuse are reported promptly to the appropriate authorities,
- Offer guidance, training and support to all employees, volunteers and members involved in Joint Learning activities to assist them in recognising and responding to the signs of possible abuse, and to protect themselves against allegations of abuse,
- Ensure that Joint Learning's role and responsibility in protecting children and vulnerable adults from abuse is clear,
- Raise awareness of issues and procedures around safeguarding children and vulnerable adults,
- Work in compliance with Joint Learning's Safeguarding Procedures; which can be found at: www.jointlearning.co.uk

1.3 Key principles

The guidance given in this policy document is based on the following key principles:

- The welfare of children and vulnerable adults is the primary concern,

- All children and vulnerable adults, whatever their age, culture, disability, gender, language, race, religion or belief and/ or sexual orientation have the right to protection from abuse,
- All incidents of suspected poor practice and/ or allegations of poor practice should be taken seriously and responded to quickly and appropriately; this includes allegations of poor practice against employees, Sub-Contractors, volunteers and contractors.

1.4 Scope of the Policy

- The policy covers all of the functions and services of Joint Learning as well as the operations of partners, contractors and voluntary organisations that deliver services on its behalf.
- The policy covers all children up to the age of 18 years of age who are affected by the services delivered by or on behalf of Joint Learning.
- Many of the principles set out in this document also relate to vulnerable adults. These are defined as people aged 18 and over who may be vulnerable due to mental or other disability or illness and may not be able to protect themselves against abuse.
- Joint Learning recognises that the LSCB's Children's Social Care and the Police are the lead agencies in the district with regard to child protection, and LSCB's Adult Social Services is the lead agency with regard to vulnerable adults. Joint Learning also recognises that everyone has a responsibility for child protection and protecting vulnerable adults, including all employees and Members.
- As a service provider, Joint Learning is committed to equality and fairness. Joint Learning will endeavour to work with parents and other relevant parties to plan and organise activities to ensure that all children and vulnerable adults are able to take part at levels appropriate to their needs.
- This is a company policy. However, different service areas and venues may have specific additional policies and operating procedures that need to be adhered to when working in those particular service areas.

1.5 Working with Partners

Joint Learning regularly works with partners and contractors from a variety of sectors. This policy will be drawn to the attention of, and made available to, all agencies and organisations in joint working situations.

1.6 Contractors

Contractors will be expected to follow the Policy unless they have their own Policy, which has been recognised as an adequate substitute.

The principles of safe recruitment will, therefore, be included in the terms of any contract drawn up between Joint Learning and contractors or agencies that provide services for, or adults to work with, children and vulnerable adults for whom Joint Learning provides is responsible.

Joint Learning will monitor compliance with the contract that will also include a requirement that the provider will not sub-contract to any personnel who have not been part of a safe recruitment process.

1.7 Roles and responsibilities (Appendix A)

There are a number of roles, responsibilities and duties of different people within Joint Learning that work directly with and/or whose work affects children and vulnerable adults.

1.8 Shared Information (Appendix B)

All employees have a statutory obligation to safeguard confidentiality of personal information. The relevant legislation includes the Data Protection Act 1998, the Human Rights Act 1998 and the Freedom of Information Act 2000. Access to personal information should be on strict need-to-know basis when you are sharing information with Joint Learning and with other agencies. Children and vulnerable adults of all ages have equal rights to confidentiality. If a child or vulnerable adult is making a disclosure you must always explain that some of this information will need to be shared with appropriate people and/or agencies.

1.9 Definition of Abuse (Appendix C)

Physical Abuse - may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a person.

Emotional Abuse - is the persistent emotional maltreatment of a person such as to cause severe and persistent adverse effects on the person's emotional development. It may involve conveying to the person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on a person. These may include interactions that are beyond the person's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the person participating in normal social interaction. It may involve serious bullying causing individuals frequently to feel frightened or in danger, or the exploitation or corruption of children or vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment, though it may occur alone.

Sexual Abuse - involves forcing a child or vulnerable adult or enticing a child, or vulnerable adult to take part in sexual activities, including prostitution, whether or not the person is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children or vulnerable adults in looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging children or vulnerable adults to behave in sexually inappropriate ways.

Neglect - is the persistent failure to meet a child's or vulnerable adults basic physical and/or psychological needs, likely to result in the serious impairment of the individual's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or

carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child or vulnerable adult from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a person's basic emotional needs.

Financial Abuse - misappropriation of an individual's funds, benefits, savings etc or any other action that is against the person's best interests, e.g

- Theft of money, possessions, property or other material goods
- Misuse of money
- Fraud or extortion of material assets
- Persuading a vulnerable adult to enter into a financial agreement which is to their detriment.

2.0 Recognition of Abuse and Bullying

- 2.1** It is not always easy to recognise when abuse has taken place or a situation that has taken place may develop to become abusive. Joint Learning employees are not expected to be experts at recognising such situations, but employees do have a responsibility to act if they have concerns about the behaviour of an adult or child, towards a child or vulnerable adult. All employees have a duty to discuss any concerns they may have about the welfare of a child or vulnerable adult with their line manager or another appropriate senior member of staff as soon as possible.

3.0 Responding to Suspicions and Allegations of Abuse and Poor Practice (Appendix D)

- 3.1 False allegations of abuse do sometimes occur. However, if a child or vulnerable adult indicates that they are being abused, or information is obtained which gives concern that a person is being abused, this should never be ignored, taken seriously and always be acted upon.
- 3.2 There are a number of barriers that exist which prevent a child or vulnerable adult from telling others about abuse, some of the main barriers are that they may:
- be scared because they may have been threatened
 - think they will be taken away from home
 - believe that they are to blame, or they may feel guilty
 - think it happens to others
 - feel embarrassed
 - not want their abuser to get in trouble
 - have communication or learning difficulties
 - not have not yet have the vocabulary to describe what has happened
 - be afraid that they won't be believed
 - think they have already told e.g. by dropping hints'
 - have told someone before and weren't believed, so what's the point in trying again.

Action to be taken if a disclosure or allegation is made:

- React calmly so that you do not frighten the person
- Reassure the person that they were right to tell you
- Do not make promises of confidentiality, let the person know that you will have to tell another adult
- Try to reduce any questions you may choose to ask, to an absolute minimum and concentrate on listening to the person Questions should never be leading, they should only consist of Who...? Where...? When...? What...?
- Make a full written record of what has been said, heard and/ or seen as soon as possible using an Incident Report form (this can be found on the Joint Learning's Cloud Server – www.trueshare.com) This report form should then be discussed with your line manager or other senior member of staff.

Actions to be avoided:

- Panic
- Allow shock and/ or distaste to show
- Probe to find out more information than offered
- Speculate or make assumptions
- Make negative comments about the alleged abuser
- Make promises to agree to keep it a secret
- Doing nothing, expecting someone else to deal with it
- Discussing the issue with anyone other than the appropriate line manager or senior member of staff.

3.3 It is not the responsibility of any employee of Joint Learning to decide whether or not abuse is taking place. There is however a responsibility to act on any concerns and to protect children and vulnerable adults in order that appropriate agencies (in our case, the local LSCB's Children's Social Care, LSCB's Adult Social Services and the Police) can make enquiries and take necessary action to protect the child or vulnerable adult. (See Appendix D -flowchart summary of responding to suspicions).

3.4 Sharing concerns with parents

Joint Learning is committed to working in partnership with learners or employees where there are some concerns about a child or vulnerable adult. In most situations it is important to talk to parents and carers to help clarify any initial concerns. The appropriate senior manager should liaise with the parents or carers. There are some circumstances in which a person may be placed at even greater risk if concerns are shared (e.g. where a parent or employee is responsible for the abuse or not able to respond to the situation appropriately). If you are in doubt, speak to the 'Joint Learning HR Department and Welfare Support Manager'.

3.5 Reporting Procedure

3.5.1 *Employees*

Employees responding to a suspicion of abuse or poor practice should complete an incident reporting form (this can be found on Joint Learning's Cloud Server (www.trueshare.com), in liaison with their line manager. The incident should then be reported to the Welfare Support Manager. The Welfare Support Manager will then decide what appropriate action needs to be taken usually contacting either or both LSCB's Children's Social Care or LSCB's Adult Social Services and the Police. Joint Learning will co-operate fully with any investigation carried out by those agencies in line with their procedures.

3.5.2 *Senior Managers and Welfare Support Manager*

If you are unsure about whether to refer, you should ring the Local safeguarding children's board Area Office on 0845 6058 058 (Monday to Friday 8am to 8pm and Saturday 9.30am to 4pm and discuss your concerns. If your call is outside of these hours you should contact Social Services emergency duty team on 01773 78222. In an emergency you should you should telephone the Police on 999. Before you make the telephone call it is important to have all the notes and information available to hand. Wherever possible, referrals telephoned to the Children's or Adult Social Care section should be confirmed in writing within 24 hours. Be sure to take the name and job title of the person you speak to. The social worker's first job is to make a number of enquiries such as obtaining information from other professionals who are involved in the person's welfare. In terms of action the response time will vary depending on the situation. You can expect to be kept informed. If this does not happen ensure that you phone back.

3.6 Good practice guidelines for employees (Appendix E)

We take any allegation seriously and investigate immediately and thoroughly. However, we also recognise that it is not impossible for our employees to become victim to false accusations. Employees are encouraged to protect themselves from

false accusations by adopting good practice at all times. Examples of how to create a positive environment when working with children and vulnerable adults are set out in appendix E.

3.7 Allegations against Joint Learning employees

Any concerns about the welfare of a child or vulnerable adult arising from alleged abuse or harassment by an employee of Joint Learning must be reported immediately. It can often be difficult to report a fellow employee, but Joint Learning assures all employees that it will fully support and protect anyone who, without malicious intent reports their concerns about a colleagues practice or the possibility that a child or young person may be being abused or harassed. Joint Learning's Whistle blowing Policy and procedure, enables and encourages employees to raise any concerns that they have about malpractice, abuse or wrongdoing at an early stage and in the right way, without fear of victimisation, subsequent discrimination or disadvantage.

3.8 Types of investigation

If there is an allegation about an employee, there may be three types of investigation.

- Criminal
- Child Protection
- Disciplinary

Civil proceedings could also be taken by the person or family who alleged the abuse or harassment.

3.9 Action to be taken if there are concerns about a Joint Learning employee

If the concern or allegation is clearly regarding poor practice then the line manager and appropriate senior manager should deal with it as a misconduct issue and follow Joint Learning's Disciplinary Procedure. Where it is suspected that abuse has taken place the following should happen:

- Any suspicions that an employee has abused a child or vulnerable adult should be reported to the Welfare Support Manager.
- The Welfare Support Manager will then seek advice from the LSCB's children's Social Care or LSCB's Adult Social Services, who may then involve the Police. If the incident is out of hours the report should be made directly to the Police.
- The Disciplinary Procedure will then be followed.

3.10 Confidentiality

Joint Learning will abide by the Confidentiality Policy. Every effort should be made to maintain confidentiality. Information should be handled on a need to know basis. This includes the following:

- Members of the team leading the internal investigation
- The parents/ guardian / carer of the person who is alleged to have been abused
- The person making the allegation
- LSCB's Children's Social Care or LSCB's Adult Social Care and the police

- The alleged perpetrator.

Sharing confidential information without consent in the public interest is normally justified:

- Where, in the interest of the child or vulnerable adult, reasonable concerns identify that their health or development will be impaired without the provision of Services.
- Where there is evidence that a child or vulnerable adult is suffering or is at risk of suffering significant harm.
- Where there is a reasonable cause to believe that an individual may be suffering or at risk of suffering significant harm.
- To prevent significant harm arising to children and vulnerable adults or serious harm to adults, including through the prevention, detection and prosecution of serious crime.

Sharing information as part of preventative services:

- Obtaining consent should be the first consideration.
- Where this is not possible the key factor on deciding whether to share confidential information without consent is proportionality i.e. whether the proposed sharing is a proportionate response to the need to protect the public interest in question. The senior officer should record any decision and the reasons for it relating to whether or not to share information.
- If the decision is to share, a record of what information was shared and with whom must be made. You should also record any consultations and views sought which were undertaken as part of the process.

Any information should be stored in a secure place with limited access and In-line with data protection laws.

3.11 Gathering Information - Common Assessment Framework (CAF)

If you regularly work with children and young people you will need to be trained in completing a Common Assessment Framework (CAF). This is a standardised assessment that's designed to get a complete picture of a child's additional needs at an early stage. The assessment is a simple process that encourages close working with the family and can be completed by any practitioner who is involved with the child. It provides a holistic assessment of the child's needs in the context of the individual, the family and the community. The CAF encourages information sharing between practitioners in cooperation with the child and their family. Contact the Welfare Support Manager for more information about the CAF training.

3.12 Expert advice

If you are not sure what to do, contact LSCB's Children's Social Care or LSCB's Adult Social Care on (call 0845 6058 058). These agencies will give you guidance and support through the process.

4.0 Handling of difficult situations (Appendix F).

- 4.1** There may be situations when individuals pose an immediate risk to others, property or themselves.
- 4.2** Where dialogue and diversion tactics fail there are two types of simple control methods that can be used.
 - 1) Simple physical presence as control. This involves no contact e.g. standing in front of an exit.
 - 2) Holding or touching to persuade a child, young person or vulnerable adult to comply with verbal requests e.g. holding a person's hand or using the shoulders to steer a person away from a situation.
- 4.3** If a situation is approaching the point where these methods will not or don't work or if the person is threatening or using violence then the police should be contacted immediately.
- 4.4** Set procedures must be applied if these control methods are used (please see appendix F).

5.0 Recruitment and Employment (Appendix G).

5.1 Joint Learning will take all reasonable steps to prevent unsuitable people from working with children and vulnerable adults. In particular, it will:

- Ensure all staff with responsibility for recruitment and selection are trained.
- Each recruiting manager will evaluate the need for Criminal Records Bureau (CRB) Disclosure check, for all vacancies/ new posts.
- As appropriate, ensure experience of working with children, young people and vulnerable adults (and also cover any apparent gaps in employment history at interview).
- Confirm the identity of the prospective appointee. This will normally be done at interview stage. This information can then be crosschecked with the information required for the CRB check.
- Take up two references (one from current or most recent employer) and, as appropriate, enhanced disclosure check from CRB, prior to commencement of appointment. (There are sometimes difficulties in getting CRB checks back quickly, manager's may very often have to risk assess the situation. For example, can the individual be closely supervised until the CRB check is received or can the job be restructured, to remove the risk until the CRB check is received).
- Provide full induction on the job role and the provision of this and related policies.
- Complete regular monitoring during a new employees probationary period.

5.2 Recruitment of Ex-offenders

As an organisation using the Criminal Records Bureau (CRB) checking service assess applicants' suitability for positions of trust, Joint Learning complies fully with the CRB Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a CRB check on the basis of a conviction or other information revealed.

- Joint Learning is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- We have a written policy on the recruitment of ex-offenders, which is made available to all CRB applicants at the outset of the recruitment process.
- We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.
- A CRB check is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a CRB check is required, all application forms, job adverts and recruitment briefs will contain a statement that a CRB check will be requested in the event of the individual being offered the position.

- Where a CRB check is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within Joint Learning and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- Unless the nature of the position allows Joint Learning to ask questions about your entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.
- We ensure that all those in Joint Learning who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- We make every subject of a CRB check aware of the existence of the CRB Code of Practice and make a copy available on request.
- We undertake to discuss any matter revealed in a CRB check with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar you from working with us.

This will depend on the nature of the position and the circumstances and background of your offences.

6.0 Learning and Development

- 6.1** Joint Learning has a responsibility to ensure all new employees undertake an induction programme. As part of this induction programme, Joint Learning will ensure employees are made aware of and understand their responsibilities in respect of the Safeguarding Children and Vulnerable People Policy.
- 6.2** As part of the service induction, line managers will go through this policy with all new employees who may have work with or have access to children and vulnerable adults and give them a copy.
- 6.3** Child protection training for certain roles will be provided. Training may include internal courses, workshops, supported e-learning programme, external courses, seminars and workshops organised by Child Protection agencies. Any new employee will also complete a 6-month probationary period. During this, any learning needs will be identified and addressed and regular meetings will be held to monitor performance. On an annual basis, all employees have an individual performance development review with a line manager. This will identify any learning or development related to their job role.

7.0 Work Experience Placements (Appendix H)

Before a young person or vulnerable adult commences in a placement or work experience, managers will need to make sure that they have followed the guidelines on this (for more information please contact the Welfare Support Manager on Joint Learning's policy on the website www.jointlearning.co.uk).

8.0 Health and Safety

- 8.1** Under health and safety law, Joint Learning has the same legal responsibilities for the health, safety and welfare of young people and/ or vulnerable adults, as its employees.
- 8.2** Protecting the health and safety of young people and vulnerable adults must be done in such a way that it complies with Joint Learning's legal responsibilities but at the same time does not restrict the young person or vulnerable adult's rights to autonomy, privacy or dignity.
- 8.3** The management of Health and Safety at Work Regulations Act, 1999; requires that young people and vulnerable adults are protected from risks to their health and safety taking into account that they may be:
- Inexperienced
 - Have not been trained; and
 - May not pay enough attention to health and safety.
- 8.4** Risk Assessments will be carried out for all activities involving young people and vulnerable adults before they start in employment, on work experience, or participate in Joint Learning activities. The risk assessment will determine the level of supervision the young people or vulnerable adult requires.
- 8.5** All young people and vulnerable adults will be inducted before they start in employment, work experience or undertake Joint Learning activities in order to provide them with information and instruction to enable them to carry out their tasks safely, or participate in activities safely. An accident or incident involving a child or vulnerable adult should be reported to managers using the health and safety accident report form on the Joint Learning's Cloud Server – www.trueshare.com).

9.0 Guidelines for photography and filming at Joint Learning's managed facilities and events.

9.1 Anyone wishing to use photographic/ film/ video equipment at Joint Learning's facilities and/ or events may do so only with the permission of all parties involved. For individual users and commercial photographers this permission is accredited through the use of the Photography and Filming Request Form Appendix I. Permission will only be granted once a photographer has signed to say he or she will abide by the conditions for use of photographic and filming equipment. These conditions are:

- Any images taken will be used only for the purposes stated on the Photography and Filming Request Form
- Any images are taken with the permission of the subjects
- Proof of identity may be required in order to grant permission to use the photographic filming equipment
- Joint Learning reserves the right to withdraw permission to use photographic filming equipment immediately without prior warning
- Failure to stop photography when asked may result in the photographer being asked to leave or reporting the incident to the police
- The photographer should be sensitive to other users/ participants and as far as reasonably possible restrict the images taken to those of the subjects(s)
- If at any time another user in the area where the photographs are being taken complains about the activity then the photography or filming must stop immediately
- It is the responsibility of any commercial photographer taking images at Joint Learning facilities to obtain written permission of any subjects included in their photographs to use the images before publication; Images may only be taken in the areas shown on the date indicated on the Photography and Filming Permission Request form
- If for any reason the details shown on the permission request change, the form should be returned to Joint Learning for alteration. If, when challenged, a discrepancy is found between the Photographer and Joint Learning, copies of the permission request, permission to use photographic and filming equipment will be withdrawn.

9.2 Vigilance by the general public

No matter what arrangements are put in place to prevent the misuse of cameras, videos or mobile phones with digital image recording, the nature of "peeping tom" type activity make it very difficult to police. In recognition of this, Joint Learning asks users of their facilities to be alert to any suspicious activity, particularly where children and vulnerable adults may be involved and encourages them to report any such incidents or concerns at the earliest opportunity to a Joint Learning employee.

10.0 Further Information

The document “*What to do if you’re worried a child is being abused*” can be accessed and downloaded from www.everychildmatters.gov.uk Local procedures and guidance can be found on the Local Safeguarding Children Board site at www.lscb.co.uk and www.dcsf.gov.uk.

Women's Aid has developed ‘The Hideout’ to meet the needs of thousands of children and young people affected by domestic violence (Developed by Women's Aid). Visit the website: www.thehideout.org.uk

National Contacts

Disability Rights Commission Helpline (DRC)

FREEPOST MID02164

Stratford upon Avon

CV37 9BR

Telephone: 08457 622 633 / 08457 622 644

Fax: 08457 778 878

Domestic Violence Helpline

0808 2000 247

The National Society for the Prevention of Cruelty to Children (NSPCC) Helpline

Bengali/Sylehti: 0800 096 7714

Gujarati: 0800 096 7715

Hindi: 0800 096 7716

Punjabi: 0800 096 7717

Urdu: 0800 096 7718

Asian helpline (in English): 0800 096 7719

Muslim Youth Helpline

0808 808 2008

The Forced Marriage Unit

Monday to Friday – 9am to 5pm: 020 7008 0151

Emergency Duty Officer (out of hours): 020 7008 1500

www.fco.gov.uk/forcedmarriage

www.fco.gov.uk/forcedmarriage

Appendix A- Roles and Responsibilities to Safeguard Children and Vulnerable Adults

A range of Joint Learning services has the potential to impact upon the lives of children and vulnerable adults:

Voluntary, Private and Community Sectors

Voluntary organisations, private and community sector providers working in partnership with Joint Learning involving children and vulnerable adults will be made aware of the Joint Learning's Safeguarding Policy. Organisations that are grant aided will be encouraged to develop an appropriate policy as a condition of financial support.

Senior Managers

The Managing Director will be responsible for approving the Safeguarding Policy and for ensuring that it is reviewed regularly. Managers will ensure that the policy is implemented by ensuring that their staff understand their responsibilities, appropriate training is provided and incidents and concerns are monitored and reviewed by the HR Director and Welfare Support Manager.

Appendix B- Sharing Information

Key Points for sharing information:

- Staff should explain to the child, vulnerable adult and parent at the outset, openly and honestly, what information will, or could be shared. They should explain how and why it needs to be shared, and seek their agreement. The exception is where to do so would put the person or others at risk of significant harm, or undermine prevention, detection or prosecution of a serious crime including where seeking consent might lead to interference with a potential investigation. Staff must always consider the safety and welfare of a child or vulnerable adult when making decisions on whether to share information about them. Where there is concern that the person may be suffering or is at risk of significant harm, the individual's safety and welfare must be the overriding consideration.
- Staff should, wherever possible, respect the wishes of children, vulnerable adults or their parents who do not consent to share confidential information. Staff may still share information, if in their judgement on the facts of the case; there is sufficient need to override that lack of consent.
- Staff should seek advice from the appropriate professional bodies where they are in doubt, especially where their doubt relates to a concern about possible significant harm to a child, vulnerable adult or to others.
- Staff should ensure that the information they share is accurate and up-to-date, necessary for the purpose for which they are sharing it, shared only with those people who need to see it and shared securely.
- Staff should always record the reasons for their decision-whether it is to share information or not.

Obtaining consent

The individual's consent should always be sought. However, a lack of consent should never compromise the safety or welfare of a child or vulnerable adult. However, consideration should be given to why consent is being withheld in line with their human rights. Written consent to share information should be sought wherever possible.

Appendix C- Recognition of Abuse and Bullying

Definitions of abuse

The following definitions below are adapted from Department of Health (2006) *“Working Together to Safeguard Children”*.

Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a person.

Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a person such as to cause severe and persistent adverse effects on the person’s emotional development. It may involve conveying to the person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on a person. These may include interactions that are beyond the person’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the person participating in normal social interaction. It may involve serious bullying causing individuals frequently to feel frightened or in danger, or the exploitation or corruption of children or vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment, though it may occur alone.

Sexual Abuse

Sexual abuse involves forcing a child or vulnerable adult or enticing a child, or vulnerable adult to take part in sexual activities, including prostitution, whether or not the person is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children or vulnerable adults in looking at, or in the production or, pornographic materials or watching sexual activities, or encouraging children or vulnerable adults to behave in sexually inappropriate ways.

Neglect

Neglect is the persistent failure to meet a child’s or vulnerable adult’s basic and/ or psychological needs, likely to result in the serious impairment of the individual’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child or vulnerable adult from physical and emotional harm and danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a person’s basic emotional needs.

Indicators of abuse

Indications that a person may be experiencing abuse could include the following:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated in a part of the body not normally prone to such injuries. Bruises that reflect hand marks or fingertips could indicate pinching or slapping. Cigarette burns and scalds would also be a concern.
- An injury for which the explanation seems inconsistent
- The child, young person or vulnerable adult describes what appears to be an abusive act involving him or her
- Someone else (a child, young person or adult) expresses concern about the welfare of another person
- Unexplained changes in behaviour e.g. becoming very quiet, withdrawn or having severe temper outbursts
- Inappropriate sexual awareness
- Engaging in sexually explicit behaviour
- Discomfort when walking or sitting down
- Distrust of adults, particularly those with whom a close relationship would normally be expected
- Has difficulty making friends
- Is prevented from socialising with other people/
- Displays variations in eating patterns including overeating and loss of appetite
- Loses weight for no apparent reason
- Becomes increasingly dirty and unkempt.

This list is not exhaustive and the presence of one or more of the indicators is not proof that abuse is actually taking place or has taken place.

Abuse and Children and Vulnerable Adults with a Disability

Children and vulnerable adults with a disability are at increased risk of abuse and those with multiple disabilities are at even more significant risk both of abuse and neglect. Parents of children with a disability may experience multiple stresses. This group of children and vulnerable adults may be particularly vulnerable to abuse for a number of reasons including:

- Having fewer social contacts than other children
- Receiving intimate personal care from a larger number of carers
- Having an impaired capacity to challenge abuse
- Having communication difficulties resulting in difficulties in telling people what is happening
- Being reluctant to complain for fear of losing services
- Being particularly vulnerable to bullying or intimidation
- Being more vulnerable to abuse by peers than other children.

Bullying

In some cases of abuse it may not always be an adult abusing a child or vulnerable adult. In the case of bullying the abuser may be another child or vulnerable adult. Bullying is deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for the victim to defend them-selves.

Anyone can be a target for bullying, sometimes victims are singled out for being overweight, physically small, having a disability, being shy and/or sensitive or belonging to a different race, faith or culture. Bullying can and does occur anywhere there is inadequate supervision. Bullying may be:

- Physical including hitting, kicking and theft
- Verbal including name calling, teasing, racist or homophobic taunts, threats and graffiti
- Emotional including tormenting, ridiculing, humiliating and ignoring
- Sexual including unwanted physical contact or abusive comments
- Cyber bullying e.g. email, text messaging etc.

Bullying can cause a considerable amount of stress to children and vulnerable adults, it can affect their health and development and in extreme cases it can cause them significant harm including self-harm.

Indicators that a child or vulnerable person is being bullied could include:

- Behavioural changes such as reduced concentration, becoming withdrawn, clingy, depressed, tearful, having mood swings, having a reluctance to go to training, events or sports clubs
- A drop in performance at training, events rehearsals etc
- Physical signs such as stomach aches, headaches, scratching and bruising and damaged clothes
- A shortage of money or frequent loss of possessions.

The following action to help the victim and prevent bullying should be taken:

- All signs of bullying should be taken seriously
- All children and vulnerable adults should be encouraged to share their concerns
- The victim should be helped to speak out and tell the person in charge or someone in authority
- All allegations should be investigated and action taken to ensure the victim is safe. The victim and bully/ bullies should be spoken to separately
- Employees should reassure the victim that they can be trusted and will help them, but do not promise not to tell anyone else
- Records should be kept of what is said.

The following action should be taken towards the bully/ bullies:

- The situation should be explained to the bully/ bullies
- An effort should be made to get the bully/ bullies to understand the consequences of their behaviour
- An apology to the victim should be sought
- Any items belonging to the victim should be returned
- Encouragement to the bully/ bullies to change their behaviour should be offered
- Meetings should be held with parents or carers to report on progress
- All appropriate employees should be informed of action taken
- A written record of action taken should be kept.

Appendix D- Summary of Responding to Suspicions

For referral where there are concerns about the welfare of a child or a vulnerable adult
Southport Area Office contacts:

Welfare Support Manager – Sam Lowe
The Old Bank
82 Waterloo Road
Hillside, Southport
Merseyside PR8 4QW
Tel: 01704 562696
Fax: 01704 562693
E- mail: sam.lowe@jointlearning.co.uk

Operations Director – Martin Byrne
Tel: 01704 562696
Fax: 01704 562693
E- mail: martin.byrne@jointlearning.co.uk

HR Co-ordinator – Rebecca Sewell
Tel: 01704 562696
Fax: 01704 562693
E- mail: rebecca.sewell@jointlearning.co.uk

Curriculum Manager – Helen Lunt
54 Bath Street
Southport
Merseyside
Tel: 01704 514466
E- mail: helen.lunt@jointlearning.co.uk

Appendix E- Good Practice Guidelines for Employees

Examples of how we to create a positive environment when working with children and vulnerable adults:

- Work in an open environment, avoid private or unobserved situations
- Treat all children and vulnerable adults with equal dignity and respect
- Put the welfare, success and achievement of each child first, before the winning or achieving of goals'
- Make activities enjoyable and promote fair play
- Maintain a safe and appropriate distance with children and vulnerable adults
- If physical contact is necessary for demonstrating skills etc, explain and discuss these actions with the person first
- Recognise that caution is required especially when dealing with sensitive moments e.g. when dealing with bullying, bereavement or abuse
- Keep up to date with technical skills, qualifications and insurance requirements
- Be an excellent role model, this includes not drinking alcohol or smoking in the company of children and vulnerable adults in any work related environment
- Give constructive feedback rather than negative criticism
- Recognise the development needs of children and vulnerable adults and avoid excessive training or competition.

Things to avoid:

You should NEVER allow or take part in any of the following:

- Engage in rough physical or sexually provocative games
- Engage in or allow any form of inappropriate touching
- Allow children and vulnerable adults to use inappropriate language unchallenged
- Make sexually suggestive comments to a child, even in fun
- Reduce a child, young person or vulnerable adult to tears, as a form of control
- Allow allegations made by a person to go unchallenged, unrecorded or not acted upon
- Do things of a personal nature for a child, young person or vulnerable adult that they can do for themselves including things like applying sun cream
- Transport or take children, young people or vulnerable adults to their home unsupervised
- Administer medication unless specifically trained and approved by the person's parents to do so
- Take a child or vulnerable adult to the toilet unsupervised.

The list is not exhaustive. Some specific posts and activities may need more detailed guidance. If employees have any concerns about the appropriateness of any practice or action, they should contact their line manager where possible or a senior manager.

Appendix F- Handling Difficult Situations

Handling Difficult Situations – Control

Two types of simple control methods can be used in order to prevent injury to the child or vulnerable adult, other children and vulnerable adults or significant damage to a property. Simple physical presence as a control involves no contact e.g. standing in front of an exit. Holding or touching to persuade a child or vulnerable adult to comply with verbal requests e.g. holding a person's hand or using the shoulders to steer a person away from a situation. Wherever possible, steps should be taken in advance to avoid the need for these control methods through dialogue and diversion. If a situation is approaching the point where these methods will not or do not work or if the person is threatening or using violence then the Police should be contacted immediately. If other children or vulnerable people are present in the area, they should, if possible be moved away from the situation.

Procedures to be followed if these control methods are used:

- Notify your line manager immediately after the incident has occurred.
- Complete an accident report form (An accident report form can be found on Joint Learning's Cloud Server – www.trueshare.com) and send this to your line manager and the Health and Safety Officer.

Line managers should then:

- Ensure the report is comprehensive
- Ensure that the parents of the child or vulnerable adult are informed of the incident and provided with a copy of the report
- Arrange a meeting to discuss the incident with the employee within 24 hours of the incident if possible
- Write up the meeting with the employee and obtain the employees signature to the accuracy of the discussion notes
- Keep all records of the incident in a secure locked cabinet
- Ensure further training to reduce the risk of this type of incident recurring is provided to the employee if appropriate. Training could include preventative measures and strategies.

Appendix G- Recruitment and Employment

Pre-recruitment checks will always be carried out. This includes conducting a risk assessment for all posts to determine whether or not the post has access to children and vulnerable adults (this will apply regardless of the employment status of the post i.e. permanent, temporary or casual). Where posts have access to children and vulnerable adults the following procedures apply:

- The risk assessment will determine whether a Criminal Records Bureau (CRB) check is required.
- The nature and extent of access to young people/vulnerable adults will be clearly identified in the job description.
- Any CRB disclosure requirement will be clearly identified in the advertisement and candidate profile.
- The recruitment process will be based on the Joint Learning's standard application form:
 - Name, address and National Insurance Number
 - Space to write about relevant experience, qualifications and training undertaken
 - Listing of past career (to confirm experience and identify any gaps in career which need to be questioned and verified)
 - Any criminal record or criminal charges pending
 - The names and contact details of at least two people including the current or most recent employer who is not related to them willing to provide written references. These to comment on the applicants previous experience of and their suitability for working with children and vulnerable adults.
 - Any gaps/omissions in experience/career must be covered at interview.
 - Once the successful candidate has been selected, his/her identity will be confirmed from official documentation (e.g. birth certificate, passport or driving licence).
 - The appointment will not start until satisfactory references and CRB clearance has been received. (There are sometimes difficulties in getting CRB checks back quickly, manager's may very often have to risk assess the situation. For example, can the individual be closely supervised until the CRB check is received or can the job be restructured, to remove the risk until the CRB check is received).
 - All appointments will be subject to a probationary period of employment.
 - CRB checks will be renewed in accordance with Joint Learning's policy.
 - Organisational Development will maintain a record of CRB clearances.

Applying for a CRB Disclosure

The successful candidate will be sent an application form, accompanied by guidance notes on how to complete it, through the post from the HR Department. He/she should also provide the necessary information as proof of identification. When the applicant has completed their sections of the form, the recruiting manager (or their representative) must then verify the documents/evidence provided as proof of identification. The disclosure should then be forwarded to the HR Department for signing by an authorised officer (i.e. Lead Signatory, Counter Signatory). Once signed, the HR Department will send the form to the CRB.

Receipt of the Disclosure

The completed disclosure will be returned to the HR Department. The CRB will also send a copy to the individual. HR Department will notify the recruiting manager whether the disclosure is satisfactory. If any conviction is listed it will be discussed with the HR Director who will then decide, normally after discussing the matter with the individual, whether the conviction is relevant and whether the appointment is to be confirmed.

Security of information

Disclosure information will be kept securely for a period of six months and then destroyed. Only those entitled to see it in the course of their duties would have access.

CRB checks for existing Staff

- Joint Learning will ensure that all currently employed members of staff who come into contact with children and vulnerable adults will be CRB checked.
- Joint Learning will ensure that all employees who come into contact with children and vulnerable adults will be CRB checked on a 3-year basis. This is to ensure that employee's records are current and up-to-date.

New Vetting and Barring Legislation

From October 2009 Joint Learning will need to make sure that all employees working with children and/or vulnerable adults have registered with the Independent Safeguarding Authority (ISA). An ISA check will reveal if the person has registered and able to work with children and/or vulnerable adults, it is illegal to employ an unregistered person. For those individuals registered with the ISA scheme, further enhanced CRB checks will be at the employers discretion and organisations may still wish to apply for CRB Enhanced Disclosures* to obtain an individual's full criminal record. This will be linked to the risk assessment of the post. We will also need to ensure that existing employees are ISA-registered. First you should ask those who have not been previously checked by the Criminal Records Bureau (CRB) to apply for ISA registration. Next you should ask those who have been CRB checked to apply, beginning with staff whose CRB checks are the oldest.

From October 2009

- New job applicants will need to apply for ISA registration.
- Employers and voluntary organisations working with children and vulnerable adults cannot recruit workers who are not ISA-registered.

From 2010

- Existing employees and volunteers with no CRB check must apply for ISA registration.

***Existing employees and volunteers with CRB checks will also need to apply for ISA registration, starting with staff whose CRB checks are the oldest. This can be requested for posts that involve regularly caring for, training, supervising or being in charge of persons aged under eighteen or vulnerable adults. This can be requested**

for posts that involve regularly caring for, training, supervising or being in charge of persons aged under eighteen or vulnerable adults.

Appendix H- Managing Work Experience

All learners/young persons and trainees are to be regarded as employees for the purposes of health and safety and they should receive all of the same protection we afford to our own employees. Joint Learning carries Public Liability Insurance details, which can be obtained from the Finance Department. Where young persons are participating on work experience placements, line managers are responsible for ensuring the following process is adhered to:

- The supervising line manager should draw up a programme of activities/supervisory arrangements to cover the period of the placement.
- A risk assessment should be conducted considering the activities/duties the young person will engage in and the information submitted on the Medical Health Form.
- The parent/guardian of the young person should be informed of the findings of the risk assessment and the control measures put in to place before the child starts the placement.
- The Welfare Support Manager will arrange for their own independent health and safety assessment to be conducted in regard to the type of work/work environment of the placement this does not include modern apprentices.
- The supervisory line manager is responsible for ensuring young persons are appropriately inducted.

On commencement in placement, managers and HR Department will:

Ensure the following induction is covered on day one:

- Explain Code of Conduct
- Explain Equal Opportunities policy
- General talk on safety and First Aid
- Brief run through Health and Safety policy
- Security
- Fire Drill and Alarm
- Fire Exits
- First Aiders
- First Aid Room
- Accident Reporting
- Smoking at Work
- Function and how it relates to the rest of the organisation
- Role of Work experience student
- Supervision
- Colleagues
- Standard of work / conduct expected.

Following induction on day one, managers and those undertaking work experience will sign and date the Induction Checklist that should be forwarded to the HR Department who will retain a copy on file.

Appendix I- Use of Images

This policy seeks to ensure that images used by Joint Learning and its partners comply with the Data Protection Act, Child Protection protocols and copyright laws. The policy provides consent forms for use to enable images to be used in a variety of formats by Joint Learning and its partners. It also ensures that photographs are stored in a central and accessible library.

Data Protection Act

The Data Protection Act 1998 not only governs the way in which information is processed about people, it also controls the way images of clearly identifiable people are used.

Use of images

Images can be used in information documents and in publicity and promotional materials produced by Joint Learning and by its partners in formats such as:

- printed publications
- guides and leaflets
- photographs in displays
- posters for publicity purposes
- on the internet

Consent to take images

When consent is not needed

People whose images appear as incidental detail do not need to give consent for the use of their image. Consent is not needed if individuals are not either the focus nor readily identifiable from the photograph. If it is unlikely that any damage or distress will result from such images being used, then it will not be necessary to obtain consent.

Appendix 1- Staff Image Consent Form

Staff image consent form

(When completed, to be sent to the Joint Learning's Operation Director)

I (full name printed)..... give permission for images taken during my employment with Joint Learning to be used in any publication or promotional material including websites which are produced by Joint Learning or its partners during my employment with the company and after I leave.

If at any stage I wish to cancel this permission I will contact Joint Learning's HR Director.

Signed

Date.....

Appendix 2- General Consent Form

General consent form

To be completed when photographing group activities by Joint Learning or partnership staff, by commissioned photographers or by the media
(When completed, to be sent to Joint Learning's Operation Director)

I (full name printed)
confirm that I announced that an image which could be used for promotional or publicity purposes by Joint Learning or its partners was being taken and gave those attending the option to leave the room.

Event

Venue

Date

Signature.....

Role - Photographer/Event organiser/Other (please state).....

Date.....

Appendix 3- Consent for use of Images Form

Consent for images to be used of a young person under the age of 18 by parent, guardian or carer

(When completed, to be sent to Joint Learning's Operations Director)

I, (full name printed)..... confirm that I give my permission for my child (full name printed).....

Who is attending the event today at

To be photographed. My child is not subject to a court order and thus cannot be photographed.

The photographs taken today are for use for publicity and promotional purposes by Joint Learning or its partners. This might include such uses as newspapers, the Internet, leaflets and displays. My child's name will not be used.

Signature.....

Relationship to child –Parent/Guardian/Carer (please delete as appropriate)

Address

Date

Appendix 4- Teacher/ Leader consent for young persons

Teacher or leader's consent for young people under the age of 18 where consent has already been obtained by their organisation

(When completed, to be sent to Joint Learning's Operation Director)

I (full name).....

Of

Confirm that permission from parents, guardians or carers has been sought for all the children who are attending the event.

I have ensured that children whose parents have not given consent are not photographed. None of the children whose image is recorded is subject to a court order and thus cannot be photographed.

The photographs taken today are for use by Joint Learning or its partners or the media for publicity and promotional purposes in such uses as newspapers, the Internet, leaflets and displays. The children's names will not be used. I give permission for the name of the school or the organisation to be used.

Signed.....

Position Date