

Safe Learner Policy 2018/19

Statement

As an employer and training provider, Lomax Training Services Limited recognises that it has a legal duty to ensure, as far as is reasonably practicable the health, safety and welfare of young people and adults at risk.

In order to protect young people and adults at risk from harm, Lomax Training Services Limited will act in accordance with the following legislation and guidance:

- Safeguarding Vulnerable Groups Act 2006
- The Children's Acts 1989 and 2004
- Education Act (2002) section 175
- Rehabilitation of Offenders Act 1974
- Sexual Offences Act 2003
- Safeguarding Children and Safer Recruitment in Education (2007)
- 'Working Together to Safeguard Children' 2018
- Keeping Children Safe in Education 2016
- Modern Slavery Act 2015
- No Secrets Guidance

Lomax Training Services Limited has appropriate procedures in place for responding to situations in which they believe a young person or adult at risk has been abused or is at risk of abuse, which also cover circumstances in which a member of staff, volunteer or other worker is accused of, or suspected of, abuse. Lomax Training Services Limited also recognises that it has, through its staff, a duty to take such steps as are reasonable to see that young people and adults at

risk are safe from harm.

Lomax Training Services Limited also recognises that young people and adults at risk may suffer harm from sources outside the company's remit. Where signs of such harm are apparent, Lomax Training Services Limited encourage these to be reported to the appropriate external agency.

This policy aims to:

- Establish and maintain an environment where young people and adults at risk feel secure, are encouraged to talk and are listened to when they have a worry or concern
- Ensure young people and adults at risk know that there are Lomax Training Services Limited staff that they can approach if they have concerns
- Include opportunities for young people and adults at risk to develop the skills they need to recognise and stay safe from abuse
- Inform staff, employers and others working with Lomax Training Services Limited about their responsibilities for safeguarding young people and adults at risk
- Enable everyone to have a clear understanding of how these responsibilities should be carried out

Commitment

Lomax Training Services Limited wish to promote ways in which individual members of staff and companies that Lomax Training Services Limited contract with can put their own measures into practice to ensure, so far as is reasonably practicable, the health, safety and welfare of vulnerable groups.

By providing a code of conduct and training to all Lomax Training Services Limited staff it helps to safeguard and protect all staff from the risk of false allegations of abuse or poor practice. Lomax Training Services Limited provides

training on company policies for safeguarding, health and safety and equality and diversity during induction and provides on-going training as required.

Lomax Training Services Limited ensure opportunities for young people and adults at risk to participate regardless of their age, culture, disability, gender, language, racial origin, and religious belief, sexual orientation in the courses on offer in an enjoyable and safe environment.

Lomax Training Services Limited takes reasonable steps to protect young people and adults at risk from harm or abuse, neglect or discrimination and to respect their rights, wishes and feelings.

Lomax Training Services Limited undertakes to act swiftly and appropriately, to investigate all suspicions and allegations of poor practice and abuse and to involve the appropriate agencies if and when required.

Scope & Responsibilities

Abuse is behaviour towards a person that either deliberately or unknowingly causes a person harm or endangers their life or their human or civil rights. It can be passive or active. Abuse can be a one off or something that is repeated.

All Lomax Training Services Limited members of staff must have awareness and an understanding of this policy and its procedures to enable them to comprehensively understand their individual responsibilities and help promote best practice in the safeguarding of young people and the protection of adults at risk.

Lomax Training Services Limited members of staff must be fully effective in safeguarding young people and the protection of adults at risk. All Lomax Training Services Limited members of staff must have an awareness and recognition of the types of abuse and a full understanding of the duty to report suspected or actual abuse.

It is not a member of staff's responsibility to decide whether or not abuse has taken place or if a child or young person is at risk of significant harm from someone (unless this duty is specifically referenced in a member of staff's job contract, description and responsibilities). All members of staff do however have duty and a responsibility to respond immediately where abuse of any form is suspected to ensure that the appropriate agencies can investigate and take any necessary action to protect a young person or adult at risk.

Members of staff must not investigate suspicions or allegations – they must notify and report to the Designated Safeguarding Officer.

Lomax Training Services Limited staff are well placed to observe outward signs of abuse, changes in behaviour and failure to develop in the young people they work with. They should be aware of the important role Lomax Training Services Limited has in the early recognition of the signs and symptoms of abuse, and the appropriate referral process.

The Designated Safeguarding Officer has the responsibility for coordinating action within the training provider and for liaising with the appropriate agencies. Staffs with a designated responsibility for Safeguarding receive the appropriate training.

It is the role of the Designated Safeguarding Officer to:

- Promote positive safeguarding procedures and practice
- Receive information and offer advice about safeguarding concerns, maintain secure records and take appropriate action
- Be familiar with national and local safeguarding guidance and referral procedures
- Assess the development needs of staff and coordinate training

- Keep all staff informed of good practice
- Monitor safeguarding cases within the organisation is the responsibility of the Designated Person. The Business and Finance Manager is responsible for the recruitment of staff, and as such complete appropriate police checks for members of staff who are working with learners on a regular basis. Please see the Disclosure Policy and the Recruitment of Ex-Offenders Policy.
- The Senior Management Team are responsible for the approval of the Safeguarding Policy and ensure that staff members are aware of the policy and engage in staff development opportunities. All members of staff are responsible for ensuring that learners always feel safe and secure, maintain correct behaviour, feedback with positive reinforcements and project a professional image at all times. Staff must report any issues that are raised with them and have a duty to report any suspicion of abuse.

Recognising Types of Abuse

Abuse is the violation of an individual's human rights. It can be a single act or repeated acts. It can be physical, sexual or emotional. It also includes acts of neglect, or an omission to act – an individual may abuse or neglect a child, young person or adult at risk by failing to prevent an act of harm. In all forms of abused there are elements of emotional abuse. Adults at risk may also suffer additional types of abuse such as being manipulated financially or being discriminated against. Other examples of abuse include inflicting physical harm such as hitting or misuse of medication, and sexual assault or exposure to sexual acts without informed consent, emotional abuse such as threats, humiliation and harassment, exploitation, ignoring medical or physical needs, withholding necessities of life such as food or heating. This list is not definitive.

Types of Abuse

There are four main types of abuse:

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect

Appendix 2 details all definitions of the 16 areas of abuse.

Additionally, adults at risk may also experience:

- Financial or material abuse
- Discriminatory abuse
- Institutional abuse
- Professional abuse
- Significant harm

It is not the purpose of this policy to provide a generalised representation of abuse. Children, young people and adults at risk may experience any combination of these types of abuse, but each group have specific vulnerabilities. For example, current legislation requires us to not only protect the vulnerable from abused and neglect, but to actively promote the welfare of children and

young people – not just to protect but to safeguard. Bullying is not defined as a form of abuse in 'Working Together' but there is clear evidence that it is abusive.

Abuse is defined as 'a single or repeated act of lack of appropriate action occurring within any relationships where there is an expectation of trust, which causes harm or distress. Abuse is defined in 'No Secrets Guidance' as the 'violation of an individual's human or civil rights by any other person'.

1. *Physical Abuse*

Physical abuse occurs when non-accidental harm is caused to the body by the use of force, which results in pain, injury or a change of the person's natural physical state.

Examples of physical abuse include hitting, slapping, pushing, kicking, misuse of medication, restraint, inappropriate sanctions, rough handling, pinching, punching, shaking and burning.

2. *Emotional/Psychological Abuse*

Psychological or emotional abuse is behaviour that has a harmful effect on a vulnerable adult or young person's emotional health or development. Some examples of emotional abuse include:

- Threats of harm
- Deprivation of contact
- Humiliation, blaming, controlling, intimidation, coercion, harassment
- Verbal abuse
- Isolation or withdrawal of services or support networks
- Withholding affection, shouting

- Depriving a person of a right to choose, information or privacy
- Any behaviour that has a harmful effect on the adult at risk or young person's emotional health and development

3. Sexual abuse

Sexual abuse is the involvement of an adult at risk or a young person in sexual activities or relationships which are for the gratification of the other person and which:

- They have not consented to
- Or they cannot understand
- Are not able to consent to
- Which violates the individual's expressed cultural or religious preferences, sexual taboos or family custom and practice

Examples of sexual abuse include:

- Assault or sexual acts to which the individual has not consented or was pressurized into consenting
- Inappropriate touching and fondling
- Indecent exposure or attempted penetration

4. Neglect and acts of omission

Neglect is behaviour that results in an individual's basic needs not being met. Examples of neglect and acts of omission include:

- Ignoring medical or physical health needs

- Individual's physical condition/appearance is poor
- Failure to provide access to appropriate health, social care or emotional services
- The withholding of the necessities of life such as medication, nutrition and heating

5. Financial or material abuse:

Financial or material abuse involves the use of an individual's property, assets or income without their informed consent or making financial transactions that they do not understand to the advantage of the other person. Examples of financial or material abuses include:

- Theft
- Exploitation and pressure in connection with wills, property or inheritance or financial transactions
- The misuse or misappropriation of property, possessions or benefits

6. Discriminatory abuse

Discriminatory abuse is behaviour that makes or sees a distinction between people as a basis for prejudice or unfair treatment. Examples of discriminatory abuse include racism, sexism, ageism, slurs or similar treatment.

7. Institutional abuse

Institutional abuse involves the collective failure of an organisation to provide an appropriate professional service to vulnerable people. It can be seen or detected in processes, attitudes or behaviour that amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and stereotyping.

8. *Professional abuse*

Professional abuse is the misuse of power and of trust by a professional. Professional abuse can include:

- The failure of a professional to act on suspected abuse
- Poor care practice or neglect in the provision of services
- Culpability as a result of poor management systems structures

9. *Significant harm*

Significant harm can be taken to include not only ill treatment including sexual abuse and forms of ill treatment which are not physical, but also the impairment of, or an avoidable deterioration in physical or mental health, and the impairment of physical, intellectual, social or behavioural development

Recognising Abuse

The abuse of adults at risk or young people is often detected through symptoms or indicators. There are often physical indicators of maltreatment or neglect such as bruises, bites, burns, fractures. However, symptoms can also reveal themselves through emotional, psychological behavioural patterns such as depression.

Responding Professionally

Lomax Training Services Limited staff should be concerned about a young person or adult at risk if he or she displays signs of abuse or neglect, or where they may have disclosed harm to others.

Concern about safeguarding issues includes any area where the health or physical and/or emotional wellbeing of a young person or adult at risk, is at risk.

This could include incidents of bullying, signs of drug or alcohol dependency.

Staff may become aware of the potential abuse of an individual through their own or other's suspicions or by the victim or the abuser disclosing the abuse. It is important that such disclosures are responded to in a supportive and professional way.

It is important to remember that if someone discloses abuse, it is because they want the abuse to stop, they are asking for help.

Key things to do:

- When an individual discloses abuse, always take it seriously. Speak to them in a calm, sensitive way. Listen carefully and make sure you record what was said, including the date, time and place
- Allow the individual to communicate at their own pace
- Ask questions for clarification only and avoid asking questions that suggest a particular answer. Asking leading questions might compromise a subsequent investigation.
- Make sure your record does not contain your own opinions, just the facts
- Do not make judgements
- Re-assure the individual that they have done the right thing by telling someone and inform them what you are going to do next
- Explain that it is likely that the information will need to be shared with others, never promise to keep secrets
- You cannot agree not to tell anyone else, because you will need to disclose the information to certain people to make the individual safe
- Ensure the safety of the individual and any other person at risk.

- If the individual needs medical attention, call the emergency services or a doctor as appropriate, and inform your manager immediately
- The importance of accurate recording cannot be stressed enough. If there is any further action or investigation, an accurate account is vital. It is not the responsibility of individual members of staff to investigate or make judgements on suspected instances of abuse. This is a matter for the relevant external agencies, or in appropriate cases, the company

Allegations against a member of staff:

Where an allegation is made against a member of staff identifying that he or she has:

- Behaved in a way that has or may have harmed a young person or adult at risk
- Possibly committed a criminal offence against/related to a young person or adult at risk
- Behaved toward a young person or adult at risk in a way which indicates that he or she is unsuitable to work with young people or adults at risk
The person learning of the allegation should record the nature of allegation and any other relevant information and immediately report it to the Designated Safeguarding Officer

The Designated Safeguarding Officer will liaise with Directors to complete an investigation and will decide on the most appropriate course of action

Whistleblowing

Lomax Training Services Limited operates a whistle-blowing policy which encourages a culture of openness within our organisation and aims to prevent malpractice. With the introduction of the Public Interest Disclosure Act 1998, all

workers now have legal protection from any form of retribution, victimisation or detriment as a result of publicly disclosing certain serious allegations of malpractice. The policy will apply in cases where a staff member genuinely and in good faith believes that one of the following sets of circumstances is occurring, has occurred or may occur within their line of duty:

- A criminal offence has been committed, is being committed or is likely to be committed
- That a person has failed, is failing or is likely to fail with any legal obligation to which he or she is subject
- That a miscarriage of justice has occurred, is occurring or is likely to occur
- That the health and safety of any individual has been, is being or is likely to be endangered
- That the environment has been is being or is likely to be damaged
- That information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed. Anyone who wishes to raise or discuss any issues which might fall into any of the above category should contact their line manager in the first instance that will treat the matter in strictest confidence. If this is not appropriate, they should contact a Senior Manager. All complaints will be viewed seriously and treated confidentially