Introduction

This document outlines SIRM's policy on responding to concerns regarding the safeguarding and protection of children and young people. This policy, combined with the associated procedures, provides guidance to all staff who may come across concerns of this nature within the context of their work for SIRM.

Part 1. Safeguarding children and young people policy

SIRM's aim is to ensure, that outcomes for children and young people are improved by the receipt of better care, servicesand education. Improved outcomes can only be achieved if children and young people are safe from harm. Therefore, safeguarding the welfare of children and young people is part of our core business.

Purpose of this document

The purpose of this document is to outline SIRM's policy on responding to concerns regarding the safeguarding and protection of children and young people aged under 18 years. This policy, combined with the associated procedures, provides guidance to all staff who may come across concerns of this nature within the context of their work for SIRM.This includes:

- all members of SIRM's workforce, Tutors, Assessors and office-based staff
- SIRM contract staff, sub-contractors, partners and stakeholders
- individuals, consultants and agencies contracted by SIRM.

SIRM offers work-based training, teaching and learning for young people and adults. SIRM has a policy and procedure forresponding to concerns regarding the protection of vulnerable adults when these are identified. This can be found in Part 3 of this document. While the legislative and policy base is different when responding to the safeguarding needs ofvulnerable adults, most of the principles and procedures for staff are the same.

The definition of safeguarding

SIRM adopts the definition used in the Children Act 2004 and the Department for Education guidance document *Workingtogether to safeguard children,* which focuses on safeguarding and promoting children and young people's welfare and can be summarised as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effectivecare, and
- undertaking that role so as to enable those children to have optimum life chances and to enter adulthoodsuccessfully.

For the purpose of this policy, a distinction is drawn between:

- specific safeguarding concerns that need to be raised with the Safeguarding Officer or the Designated Person within the responsible provider. For example, such concerns could include but may not be limited to:
  - no designated person for child protection within a school or college
  - inadequate safeguarding arrangements in a school, college or workplace
  - incomplete records of serious incidents
  - inadequate response to bullying within a college or workplace
  - poor and unsafe social work practice by other agencies in the recent past
  - incomplete records of recruitment checks
- the role of designated staff in SIRM's Safeguarding Team in responding to notifications of seriousincidents.
- responding to specific child protection concerns about children at risk of significant harm that are likely toneed to be referred through to social services and possibly the police.

Aims and objectives of the policy

- SIRM as well as responding to immediate concerns will ensure that appropriate measures and practice to safeguard and promote the welfare of children and young people are in place and bring matters requiring attention to the relevant authorities.

- All SIRM staff are required to complete basic safeguarding training supplemented by ongoing training. Staff are therefore expected to have a good understanding of safeguarding concerns, including potential abuse and neglect of children and young people, which may come to light in the workplace as well as in theprovision. Staff who work in areas involving vulnerable adults are also expected to complete training. At whatever level we identify risks we will highlight them and seek to ensure that appropriate steps are takento safeguard the children and young people concerned.

- We will ensure that all SIRM's employees and those who undertake work on our behalf maintain a proper focus on safeguarding children and young people and that this is reflected both in sound individual practice and our internal policies and guidance. All permanent and contracted staff working with children and youngpeople must:
  - give highest priority to children's and young peoples welfare
  - recognise, identify and respond to signs of abuse, neglect and other safeguarding concernsrelating to children and young people
  - respond appropriately to disclosure by a child, or young person, of abuse
  - respond appropriately to allegations against staff, other adults, and against themselves
  - be alert to the risks which abusers, or potential abusers, may pose
  - contribute as necessary to all stages of SIRM's safeguarding and protection processes.

Specific aims relating to Prevent

To raise awareness of the Prevent strategy to enable the institution to better safeguard its students and staff and stop people from becoming terrorists or supporting terrorism. This risk assessment and action plan aims to ensure the following:

- To inform about activities and resources available for use and raise awareness of the Prevent agenda the key 3 objectives of Prevent are to tackle the ideological causes of terrorism; intervene early to support people susceptible to radicalisation; enable people who have already engaged with terrorism to disengage and rehabilitate.
- To link Prevent with safety, security, vulnerability and safeguarding
- To assist in understanding and identifying vulnerability to radicalisation
- To outline the role that SIRM can play

SIRM's responsibilities

- SIRM will investigate all Safeguarding cases or referrals. All staff need to follow the procedures to ensure thatall allegations or suspicions of abuse or significant harm to any child are reported to the Designated Person.
- SIRM will ensure that it fulfils its responsibilities to work jointly with others to safeguard and promote the welfare of children and young people and, where necessary, to help bring to justice the perpetrators of crimesagainst children or young people.
- SIRM will also fulfil its own responsibilities and take whatever enforcement action is deemed necessary toprotect children and young people.

Future action

SIRM has established a Safeguarding Officer accountable to the Managing Director, to:

- coordinate the implementation of the policy and procedures and associated staff training/briefings
- conduct investigations in accordance with safeguarding policy and procedure
- record incidents of safeguarding concern
- monitor compliance with the policy
- ensure that procedures, advice and guidance work effectively and are revised as needed
- report to the Board on matters relating to safeguarding.

Part 2. Procedures for responding to specific child protection concerns about children at risk of

significant harm Section 1. Scope of the procedure
SIRM staff (that is, those employed directly by SIRM, those working under contract and sub-contractor stakeholders)
may encounter child protection concerns. Such concerns could emerge from direct observation, discussion withindividuals or employers, from a member of the public contacting SIRM or by a parental complaint.
The concern might relate to:

- what is or may be happening (or happened in the past) to a child or young person in an organisation wework with (for instance a school or work placement)
- What is happening (or happened) outside that organisation (for instance in their own family).

The concern may be brought to our attention by the child or young person themselves, alleged by others or through direct observation or discussion.

The concerns may therefore be about the behaviour of a:

- member of staff (for instance a tutor, assessor or office worker)
- provider of a service (volunteer, contacted staff)
- peer (for instance another young person)
- child or young person or adult in the community (for instance a relative or family friend)
- Member of SIRM's sub-contractors (for instance a tutor, assessor or office worker).

The concern could relate to actions or inaction (for instance an insufficient response by a staff member to information regarding the risk of significant harm to a child or young person).

The concern may be about a current situation or past events and may be about allegations or disclosures of physical abuse, sexual abuse, emotional abuse or neglect, or a combination of one or more of these categories.

SIRM staff may receive this information by one or more means, such as a telephone call, a letter, an email, through observation, discussion and the examination of documents.

Any member of SIRM staff or sub-contractor stakeholder could receive such information. In all circumstances they must respond in accordance with the following procedure.

The procedures apply both to situations where staff including and sub-contractors are acting as members of a team or where they are working individually, in all instances they must act accordingly.

Staff receiving a parental complaint need to decide whether any matters need to be dealt with under the child protection procedures. This may be particularly relevant when considering complaints about bullying.
If in doubt seek advice from SIRM safeguarding staff.

The Safeguarding Officer is:

The Designated Person at SIRM is: Diana Milasiute

These procedures give guidance on necessary actions up to the point at which referral is made to the SIRM's safeguarding staff.

The Safeguarding Officer is:

The Designated Person at SIRM is: Diana Milasiute

Section 2. Immediate action to take if, as a member of SIRM staff, you observe abuse while it is taking place
This could take a number of forms, for instance seeing an adult hit a child, observing a member of staff using inappropriate restraint on a young person or witnessing the neglect of basic care needs of a disabled child.

First, do all you can to stop the abuse immediately without putting the child or young person, or yourself, at undue risk.Inform the perpetrator of your concerns. Advise them to stop the action immediately. Ask them to move themselves to an area where there is no contact with children and young people. Advise them that you will immediately be informing the senior manager on site or elsewhere within the organisation, if appropriate, and the SIRM's Safeguarding Officer or Designated Person.

Then:

- if the perpetrator fails to desist – take appropriate action to stop the abuse and call for assistance
- if the perpetrator does desist, and even if they leave the scene as requested, it is essential that you staywith the child until you can transfer them to the care of another responsible adult.

Then

- report the incident immediately to the line manager (when working alone)

And:

- Inform the Safeguarding Officer or Designated person of the incident. It will almost always be appropriate to inform the senior person on site but if you have any doubts discuss this first with a safeguarding officer or thedesignated person. The designated person can also advise on whether it is necessary to inform an offsite senior manager (for example when the perpetrator is the senior person on site or the only person on site).

- Take notes of what has been said, what you have heard or seen – if it is not possible to take notes at the time, do so immediately afterwards. Keep the notes taken at the time, without amendment, omission or addition,whatever subsequent reports may be written. The notes should be dated and signed. The notes should cover what you saw, who said what, what action you took, and the details of date, time and location and names of the child and perpetrator.

Then follow the steps in Section 5.

Section 3. Immediate action to take if you receive an allegation of possible significant harm to a child or youngperson

If you are in direct contact with the person raising the concern, for instance through a telephone call, receipt of a complaint or as part of a review or interview.

- Stop other activity and focus on what you are being told or have just seen. Responding to suspicion of abusetakes immediate priority.

- Do not promise confidentiality or agree to 'keep it a secret'. Explain clearly to the person raising the concern about what you expect will happen next. You can assure them that you will only tell those you have to tell to try to get the matter dealt with. You can and should express support and reassurance to the person giving youthe information, particularly if it is a child or young person, that the matter will be dealt with quickly and appropriately.

- It is absolutely vital that you avoid any action that could jeopardise subsequent investigations, including legalproceedings. In particular, avoid asking leading questions like 'Did he do X to you?' or 'How did he hurt the young person' but confine yourself to open questions like 'Can you tell me what happened?' and 'What happened next' or 'Who said that?'

Ask only what you need to know to come to a judgement about whether abuse may have taken place and to gatherfactual details. You do not need full details but do need sufficient information for an informed referral:

- details of the concern or allegation
- name, date of birth and address of the child or young person
- details of the location if employed or on work experience including contact details of manager on site, and soon
- if possible, additional relevant information regarding the child, for example ethnicity and details of otheragencies involved.

If talking with a child, then work at their pace – do not rush them. Avoid expressing opinions.

- Consider whether immediate action is needed to secure the protection of any children or young people whomay be at risk. Think about the child or young person who is the immediate subject of the concerns, and anyother child or young person who may be at risk, in light of what you have been told or suspect.
- If you are onsite with any children or young people, who may be at immediate risk, consider what action may be necessary to secure their safety. You will need to stay with those you think are at immediate risk until you can transfer them to the care of another responsible adult. Then you will need to contact the senior staff member on site, if there is one, so they can take responsibility for further action (for example, the immediate suspension and removal of the staff member). If there is no-one on site you will, in discussion with the designated person, need to decide on any further action you may need to take to ensure children's safety.

- If you are not onsite with a child or young person, discuss how they may make themselves safe. Take into account the child's or young person's wishes about any immediate protection. Check whether any other

children may beat risk and consider what action is necessary to secure their immediate safety.

- Take notes of what has been said, what you have heard or seen and what you did – if it is not possible to take notes at the time, do so immediately afterwards. Keep the notes taken at the time, without amendment, omission or addition, whatever subsequent reports may be written. Wherever possible, try to write down whatwas said verbatim, and make it clear (for example, by using quotation marks) where your notes record somebody's actual words. Notes should be dated and signed.

- Follow the steps in Section 4.

If you are not in direct contact with the person raising the concern, for instance if you have received a letter or email.

- Stop other activity and focus on what you are being told. Responding to suspicion of abuse takes immediate priority.
- Retain any written records including emails and letters.
- Follow the steps in Section 4.

Section 4. Identification of level of concern and next steps

In all cases:

- Do not, at this stage, tell the person who is the subject of an allegation or suspicion what you have been toldor what you suspect – that may put a child or young person at further risk and/or jeopardise any subsequent enquiry.

- Do not investigate the case yourself. While professionals should seek, in general, to discuss any concerns with the child and family and, where possible, seek their agreement to making referrals to local authority children's social care, this should only be done where such discussion and agreement-seeking will not place a child at increased risk of suffering significant harm.

- Decide whether the allegation or suspicion indicates that a child or young person may be suffering, or is at risk of suffering, significant harm ('significant harm' is the trigger for children's social care services and/or subsequent police enquiries). You will need to discuss with the designated person whether:
  - the allegation or suspicion would constitute a child or young person suffering, or being at risk of, significant harm
  - the actual or likely harm is of a sexual, physical, emotional or neglect nature, or involves witnessing domestic violence, sufficient to affect the child's or young person's normal physical, sexual, emotional, educational or social development.
- Remember, whether or not you personally believe what is said, the benefit of the doubt must always be in favour of making the report. You do not personally have to believe the concern to be true to make a referral to the designated person. False allegations, even anonymous ones, are relatively rare.
- If the concerns are identified outside of normal office hours and the designated person is unavailable, decidewhether there is an immediate risk to the child. If so, contact the relevant Emergency Duty Team of the
  children's social care services. This will usually be via the main switchboard number of the local authority. If this presents a problem, contact the police. Inform the designated person and your line manager of your action assoon as practicable.

- Follow the steps in Section 5 below.

Section 5. Subsequent action in all cases

- Contact immediately by telephone
  The Safeguarding Officer on:_____or the Designated Person on _____.

- For any referral to be made to the designated person for investigation you will need to know:
  - details of the concern/allegation
  - name, date of birth and address of the child or young person
  - details of the location if employed or on work experience including contact details of manager on site,and so on
  - if possible, additional relevant information regarding the child, for example, ethnicity and details of otheragencies involved.

- Discuss the concerns and next steps with the officer or designated person. The discussion with the designated person will decide whether the concerns should be referred to the local authority Emergency Duty Team and/or police. The designated person will normally make that contact. The designated person may also contact the localauthority designated officer if they wish to discuss the case before making the referral. In some circumstances, it may be agreed, in discussion with the designated person, that direct contact be made by you. In allcircumstances, the designated person will retain the overall coordinating function and responsibility for the process.

- In all cases you should inform the officer, designated person or a senior person of the circumstances and the action you have taken or will be taking next. However, you should not do so if the concern relates to that senior person or if there are any other factors that might affect a subsequent investigation or place any person at risk.

- Confirm your oral report, including the nature of the allegation/incident, the nature of the suspected harm or likely harm and your subsequent actions by email to the designated person within 24 hours.

- Written reports should be clear and unambiguous since any evidence, including written reports and any notes or other information, are open to disclosure in any subsequent proceedings.

- Circumstances not requiring any further action. If after discussion with the designated person it is decided thatno further action will be taken through child protection procedures, the designated person will advise on the next steps to take.

Section 6. Allegations about a member of the SIRM staff

Decide whether any immediate action needs to be taken in line with Sections 2 and 3 of the procedure and then contact the designated person.

- Where concerns are reported about any SIRM staff member, they should always be passed to the designated person

- The designated person is to whom all allegations or concerns that a member of staff, or someone working on behalfof SIRM, may have abused a child or young person should be reported.

Part 3. Safeguarding vulnerable adults. Policy and Procedures

Introduction

- The legal and policy basis for responding to concerns regarding the safeguarding and welfare of vulnerable adults is entirely different from that for children and young people. Working together to safeguard children only appliesto children and young people up to when they reach the age of 18. Any incident or concerns relating to a youngperson or adult of 18 years and over, even if still at school, are not covered by Local Safeguarding Children's Boards or their procedures.

Policy statement

- SIRM is committed to working with other agencies to ensure that people in settings that we work with are safeguarded. People who use services have a right to live and work in environments free from abuse, neglectand discrimination.
- SIRM does not investigate issues of concern in relation to vulnerable adults. Local councils and the police holdthe lead responsibilities for responding to allegations of abuse in relation to adults and in coordinating the local interagency framework for safeguarding adults.
- SIRM will bring to the attention of the social services and police any concerns or allegations identified throughany part of its work.

The definition of abuse of adults

- Abuse is a violation of an individual's human and civil rights by other person or persons. Abuse may consist ofsingle or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result insignificant harm to, or exploitation of, the person subjected to it. A vulnerable adult is defined by the Safeguarding Vulnerable Groups Act 2006 as a person who is aged 18 years or over and who:
  - is living in residential accommodation, such as a care home or a residential special school
  - is living in sheltered housing
  - is receiving domiciliary care in their own home
  - is receiving any form of healthcare
  - is detained in lawful custody (in a prison, remand centre, young offender institution, secure trainingcentre or attendance centre, or under the powers of the Immigration and Asylum Act 1999)
  - is under the supervision of the probation services
  - is receiving a welfare service defined as the provision of support, assistance or advice by any person, the purpose of which is to develop an individual's capacity to live independently in accommodation orsupport their capacity to do so
  - is receiving a service or participating in an activity for people who have particular needs because of their age or who have any form of disability
  - is an expectant or nursing mother living in residential care, or
  - is receiving direct payments from a local authority or health and social care trust in lieu of social care services.

- Within this context abuse can take the form of:
  - physical abuse – including hitting, pushing, kicking, misuse of restraint or inappropriate sanctions
  - sexual abuse – including sexual assault or acts to which the adult did not, or could not consent
  - psychological abuse – including emotional abuse, threats, deprivation of contact, humiliation,intimidation, coercion, verbal abuse, isolation or withdrawal from services
  - financial or material abuse – including exploitation and pressure in connection to wills, property,inheritance or financial transactions

- neglect or acts of omission – including ignoring medical or physical care needs, withholding of medication or adequate nutrition and failure to provide access to appropriate health, social care or educational services
- discriminatory abuse – including racist, sexist and other forms of harassment.
- extremism or radicalisation – being drawn into or to support terrorism, terrorist ideology and forms of extremism. Being encouraged to undertake violent activities on the grounds of religious belief which may include attacks on others

Procedure for responding to safeguarding concerns relating to vulnerable adults

The principles for staff in identifying and responding to incidents of concern in relation to adults are the same as those for children and young people. In most cases exactly the same process and guidance outlined in Part 2 – Sections 1 to 5will need to be followed by the staff member. There are differences in the definition of abuse and in the response of the statutory agencies to concerns raised with them by SIRM

In summary if an act of abuse or neglect of a vulnerable adult is identified or suspected then the SIRM staffmember should:

- stop everything else and concentrate on what you are observing or being told
- ensure the immediate safety of the vulnerable adult (and any other persons)
- do not promise confidentiality or agree to keep something secret
- do not investigate yourself and avoid asking leading questions
- obtain the necessary information to make an informed referral
- contact the SIRM Safeguarding Team - telephone the Safeguarding Officer on: _____or the Designated Person on: _____todiscuss next steps and appropriate action.

Annex 1. DefinitionsAbuse and neglect

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, orby failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by thoseknown to them or, more rarely, by a stranger. They may be abused by an adult or adults or another child or children.

Physical abuse

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

Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber-bullying), causing children frequentlyto feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involvinga high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the seriousimpairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substanceabuse. Once a child is born, neglect may involve a parent or carer failing to:

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

Extremism and Radicalisation

The government defines radicalisation as 'the process by which a person comes to support terrorism and forms of extremism leading to terrorism.' Young and vulnerable students are susceptible towards radicalisation by malicious individuals who attempt to lead the young/vulnerable students astray and to commit violent

extremism.

Extremism is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty, mutual respect and tolerance of different faiths and beliefs and the calls for death of members of our armed forces, whether in this country or overseas. During the process of radicalisation it is possible to intervene to prevent vulnerable people being radicalised.

Radicalisation can happen in many different ways and settings. Specific background factors may contribute to vulnerability which are often combined with specific influences such as family, friends or online, and with specific needsfor which an extremist or terrorist group may appear to provide the answer. The internet and the use of social media in particular has become a major factor in the radicalisation of young people.

The government has defined terrorism, in section 1 of the Terrorism Act 2000, as 'the use or threat of action…designed to influence the Government or to intimidate the public or a section of the public… for the purpose of advancing a political, religious or ideological cause'. The governments Counter Terrorism Strategy defines extremism as 'the processby which a person comes to support terrorism and forms of extremism leading to terrorism'.

Prevent
From 1 July 2015 specified authorities, including all schools are subject to a duty under section 26 of the Counter- Terrorism and Security Act 2015 ('the CTSA 2015'), in the exercise of their functions to have 'due regard to the need to prevent people from being drawn into terrorism'. This duty is known as the Prevent duty. The duty came in to force for sixth form colleges and FE colleges/providers in the early autumn.

The statutory Prevent guidance summarises the requirements in terms of four general themes:-

- The risk of students being drawn in to terrorism, including support for extremist ideas that are part of terrorist ideology should be assessed. This means being able to generate both an general understanding of the risks affecting young people in the area and a specific understanding of how to identify individual students whomay be at risk of radicalisation and what to do to support them. Clear procedures should be in place for protecting young people at risk of radicalisation.
- The Prevent duty builds on existing local partnership arrangements; safeguarding arrangements should take into account the policies and procedures of Local Safeguarding Children Boards (LSCBs).
- Prevent guidance refers to the importance of Prevent awareness training to equip staff to identify students at risk of being drawn in to terrorism and to challenge extremist ideas.
- We must ensure that students are safe from terrorist and extremist material when accessing the internet, ensuring that suitable filtering is in place. It is also important that students are taught about online safety.

Channel
Channel is a programme with focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn in to terrorism. It provides a mechanism for educational institutes to make referrals is they are concerned that an individual might be vulnerable to radicalisation. An individual's engagement with the programmeis entirely voluntary at all stages.

In line with our policy and procedure, the Designated Safeguarding/Prevent Officer will make the referral to Channel.

Following a referral the panel will assess the extent to which identified individuals are vulnerable to being

drawn in to terrorism, and, where considered appropriate and necessary consent is obtained, arrange for support to be provided tothose individuals.

The concept of significant harm

Some children are in need because they are suffering or likely to suffer significant harm. The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children, and gives local authorities a duty to make enquiries to decide whether they should takeaction to safeguard or promote the welfare of a child who is suffering, or is likely to suffer significant harm.

A court may make a care order (committing the child to the care of the local authority) or supervision order (putting thechild under the supervision of a social worker, or a probation officer) in respect of a child if it is satisfied that:

- the child is suffering, or is likely to suffer, significant harm, (including impairment suffered from seeing orhearing the ill-treatment of another); and
- the harm or likelihood of harm is attributable to a lack of adequate parental care or control.

There are no absolute criteria on which to rely when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the degree and the extent of physical harm, the duration and frequency of abuse and neglect, the extent of premeditation, and the presence or degree of threat, coercion, sadism and bizarre or unusualelements. Each of these elements has been associated with more severe effects on the child, and/or relatively greater difficulty in helping the child overcome the adverse impact of the maltreatment. Sometimes, a single traumatic event may constitute significant harm, for example, a violent assault, suffocation or poisoning. More often, significant harm is a compilation of significant events, both acute and long-standing, which interrupt, change or damage the child's physicaland psychological development. Some children live in family and social circumstances where their health and development are neglected. For them, it is the corrosiveness of long-term emotional, physical or sexual abuse that causesimpairment to the extent of constituting significant harm. In each case, it is necessary to consider any maltreatment alongside the child's own assessment of his or her safety and welfare, the family's strengths and support services, as well as an assessment of the likelihood and capacity for change and improvements in parenting and the care of childrenand young people.

Other contexts

Protection of vulnerable adults

Alongside SIRM's responsibility to safeguarding children and young people, it has equal regard and concern forsafeguarding vulnerable adults who are not covered by child protection legislation.

SIRM staff should be aware of their responsibility towards vulnerable adults and to contribute to preventing furtherabuse if they are made aware of it.

A vulnerable adult is defined by the Safeguarding Vulnerable Groups Act 2006 as a person who is aged 18 years or over and who:

- is living in residential accommodation, such as a care home or a residential special school
- is living in sheltered housing
- is receiving domiciliary care in their own home
- is receiving any form of healthcare
- is detained in lawful custody (in a prison, remand centre, young offender institution, secure training centre orattendance centre, or under the powers of the Immigration and Asylum Act 1999)
- is under the supervision of the probation services
- is receiving a welfare service defined as the provision of support, assistance or advice by any person, the purposeof which is to develop an individual's capacity to live independently in accommodation or

support their capacityto do so
- is receiving a service or participating in an activity for people who have particular needs because of their ageor who have any form of disability
- is an expectant or nursing mother living in residential care
- is receiving direct payments from a local authority or health and social care trust in lieu of social care services.

Note, however, that people are not vulnerable adults just because of any learning difficulty or learning disability. They will be defined as vulnerable adults when they receive health, social care or other services, or activities specifically for those with learning difficulties and/or disabilities.

As such SIRM's staff may have contact with vulnerable adults in the workplace as well as in general further education,sixth form or other colleges and, occasionally working in partnership with other providers or stake holders.

Adults considered to be vulnerable in the above definition may have a range of learning difficulties and/or disabilities, including: mental health difficulties, significant behavioural and emotional difficulties; cognitive learning difficulties, including severe and complex learning disability; sensory disability; and speech and language disability and communication disorders, including autistic spectrum difficulties and Asperger's Syndrome.

This is not a complete list nor does it imply that all learners who have such learning difficulties and/or disabilities shouldbe considered to be vulnerable adult. All incidents and concerns must be reported to the designated person.

What is meant by abuse in the context of vulnerable adults?
In addition to the definitions provided above, in the context of vulnerable adults, the following outlines the main forms of abuse:

- physical abuse, including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions
- sexual abuse, including rape and sexual assault or sexual acts to which the vulnerable adult has not consented,or could not consent or was pressured into consenting
- psychological abuse, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or withdrawal from services or supportive networks
- financial or material abuse, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits
- neglect and acts of omission, including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating
- discriminatory abuse, based on disability, gender, race, age, religion or belief, gender reassignment and sexual orientation and other forms of harassment, slurs or similar treatment.
- extremism or radicalisation – being drawn into or to support terrorism, terrorist ideology and forms ofextremism. Being encouraged to undertake violent activities on the grounds of religious belief which may include attacks on others

Incidents of abuse may be multiple, either to one person in a continuing relationship or service context – or to morethan one person at a time. Patterns of abuse and abusing vary and reflect very different

circumstances. These include:

- serial abusing in which the perpetrator seeks out and 'grooms' vulnerable individuals. Sexual abuse usuallyfalls into this pattern as do forms of financial abuse
- long-term abuse in the context of an ongoing family relationship such as domestic violence
- opportunistic abuse such as theft
- situational abuse which arises because pressures have built up and/or because of difficult or challengingbehaviour
- neglect of a person's needs because those around him or her are not able to be responsible for their care, forexample, if the carer has difficulties attributable to such issues as debt, alcohol or mental health problems
- institutional abuse which features poor care standards, lack of positive responses to complex needs, rigidroutines, inadequate staffing and insufficient knowledge base within the provider or service
- unacceptable 'treatments' or programmes with sanctions or punishments such as withholding food and drink,seclusion, unnecessary and unauthorised use of control and restraint, or over-medication
- failure to ensure staff receive appropriate guidance on anti-racist and anti-discriminatory practice
- failure to access key services such as health care and dentistry
- misappropriation of benefits and/or use of the person's money by other members of the household
- fraud or intimidation in connection with wills, property or other assets.

Some instances of abuse will constitute a criminal offence. In this respect vulnerable adults are entitled to the protectionof the law in the same way as any other members of the public. In addition, statutory offences have been created whichspecifically protect those who may be incapacitated in various ways. Examples of actions which may constitute criminal offences are assault, whether physical or psychological, sexual assault and rape, theft, fraud, and other forms of financialexploitation, and certain forms of discrimination, whether on racial or gender grounds.

Alleged criminal offences differ from all other non-criminal forms of abuse in that the responsibility for initiating action invariably rests with the state in the form of the police and Crown Prosecution Service. While private prosecutions are theoretically possible, they are exceptional in practice. Accordingly, when complaints about alleged abuse suggest thata criminal offence may have been committed it is imperative that reference should be made to the police as a matter ofurgency. Criminal investigation by the police takes priority over all other lines of enquiry.

Non-criminal forms of abuse must be also treated with the highest priority. These should be brought to the attention of the designated person. Such instances may also require referral to other statutory agencies, including local social servicedepartments.

The guidance on the Adults List (previously the Protection of Vulnerable Adults) requires providers who provide servicesfor vulnerable adults to carry out stringent pre-employment checks on all staff.

The procedure to be followed by SIRM staff is identical to suspected abuse involving children or young adults. The designated person is the main point of contact for all SIRM staff that suspect any form of abuse or receive allegations ofabuse. The designated person will liaise initially with the police and other agencies as required.

Forced marriage

Forced marriage and honour-based violence are human rights abuses and fall within the Government's definition of domestic violence. Forced marriage is defined as a marriage conducted without the full consent of both parties and whereduress is a factor. There is a clear distinction between forced marriage and an arranged

marriage. In arranged marriages,the families may take a leading role in arranging the marriage, but the choice of whether or not to accept remains with the prospective spouses. In a forced marriage, one or both spouses do not consent to the marriage. The young person could be facing physical, psychological, sexual, financial or emotional abuse to pressure them into accepting the marriage.

Many of these acts are committed against children. The Government's Forced Marriage Unit has produced guidelines, in conjunction with DfE, on how to identify and support young people threatened by forced marriage.

- **Procedure**

  Again, the procedure to be followed by all SIRM staff is similar to that when other types of abuse involving children or young adults is suspected. However, if a child appears to be at immediate risk, refer to section 3 of this policy forfurther advice on action to be taken. The designated person is the main point of contact for all SIRM staff that suspect any form of abuse or receive allegations of abuse. The designated person will liaise initially with the police and otheragencies such as the Forced Marriage Unit as required. You can find more advice on how the Forced Marriage Unit works at: https://www.gov.uk/guidance/forced-marriage

Challenging extremism

If students make comments which could be regarded as extremist staff should encourage the students:

- To think critically
- To consider whether the evidence they have is accurate and full
- To consider whether they have received a partial and/or unsustainable interpretation of evidence.
- To consider alternative interpretations and views

Staff should use opportunities to challenge extremist narratives through discussion with students. If staff do not feelconfident in challenging extremist ideas with their students they should ask for support from the Safeguarding or Prevent officer.

If students behave in a way that contravenes the equality and diversity aspects of the code of conduct which they have signed then this is a disciplinary issue e.g. refusing to work with a gay student or a student of a different ethnicity.It should be dealt with through normal provider disciplinary processes.

Annex 2. Complaints or concerns about our staff

SIRM will seek to ensure that children and young people, parents and carers, members of the public and service providers and our employees have ready access to us if they have concerns about the conduct of our staff or thoseundertaking work on our behalf.
We have rigorous procedures in place to ensure that the individuals who are recruited into SIRM posts are fit and suitable for those posts and we have robust policies which enable us to follow up quickly any allegations about theconduct of our own staff.

The SIRM designated person will work closely together to ensure that any safeguarding concern relating to a SIRMemployee is dealt with quickly and appropriately.

Pre-employment

- **Recruitment and pre-appointment checks**
  During the recruitment process, SIRM routinely checks an individual's suitability for working in SIRM in various
  ways.
  We analyse CVs to assess that the individual has the appropriate skills, knowledge and background to undertakethe duties of the post they are applying for. We also look for any gaps in employment and will challenge these with the individual if necessary. During interviews we will ask specific questions around the protection of children to ascertain whether the individual is suitably aware of potential risks to children, youngpeople or vulnerable adults.
  When an offer of employment is made, we routinely check the individual's suitability for the post though occupational reference checking. Individuals have to provide two referees, one of whom must be their last employer. Where any information is falsely submitted or where information is provided which gives cause for concern we may withdraw any conditional offer of employment if considered necessary. We also check the individual's eligibility to work in the EU, and whether the individual is medically fit for the post.

- **Disclosure and Barring Service checks**
  We carry out enhanced Criminal Record Bureau DBS (CRB) checks for all staff and their managers, all senior managers at director level and above, and staff who work as contractors, sub-contractors and stakeholders whoroutinely deal with child protection issues. We also carry out DBS (CRB) checks on any staff who may find themselves alone with children. From the point when new members of staff are required to be registered, SIRMwill receive notification of any change in their approved status with regard to safeguarding; we will also recheckemployees every three years with the DBS (CRB). Where any offence is disclosed by the DBS (CRB) we will investigate this fully, having consideration of the Rehabilitation of Offenders Act 1974, and may withdraw an offer of employment or move to dismiss a current employee where necessary. We will also require SIRM staff to inform us of any pending notifications relating to them as individuals as soon as they know of these.

During employment

- **Complaints**
  A complaint about the conduct of a SIRM employee may come through various routes. These include:
  - through our formal complaints procedure
  - through learners
  - through employers
  - Parents/Carers/Guardians
  - through other correspondence from the public
  - through our helpline
  - through one SIRM employee making a complaint about the conduct of another SIRM employee. Thismaybe made through SIRM's whistleblowing policy but any subsequent

investigation and action would be carried out according to the safeguarding procedure and the disciplinary policy.

However we receive the complaint, SIRM will ensure that all complaints are treated with due care and attention,considering the expectations of the public and also the fair treatment of our employees. Where the complaint involves a safeguarding issue, this should immediately be referred to the designated person who will take the appropriate action. If this involves an allegation about a SIRM employee, they will immediately referas appropriate.

- **SIRM's external complaints procedure**
  SIRM has a formal complaints policy in place for anyone wishing to make a complaint about the conduct of anySIRM staff or anyone working as a partner of SIRM. This policy provides details of how to make a complaint andto whom it should be addressed.

  An internal complaints/grievance procedure is available to our employees, which outlines the actions that will be taken if a complaint is made against a SIRM employee. On occasion, and where appropriate, SIRM's disciplinary procedure may be invoked against an SIRM employee, where the initial stages of investigation under the complaints procedure show that disciplinary action may be warranted.

- **Disciplinary process**
  This escalated disciplinary process will apply where an employee is suspected and/or accused of, or deemed tohave acted in contravention of the safeguarding policy. This applies where there is a child protection issue because of an employee's action or as a result of their inaction, whether wilful or because of negligence. Depending on the circumstances, this may also include a capability review. Additionally, the policy may apply where a family member or an acquaintance of an SIRM employee is implicated in, suspected and/or accused ofa matter related to abuse of a child or children where there is evidence that the employee had knowledge of the activity and did nothing.

Post employment

- **Recruitment and pre-appointment checks**
  SIRM reserves the right to disclose information about an ex-employee where they have been disciplined and/ordismissed for misconduct, including where that is related to a safeguarding issue.

- **SIRM's subcontractors and partners**
  SIRM has commercial contracts with sub-contractors and partners. Although not employees of SIRM staff who work for these organisations are expected to fulfil the same expectations in regard to professionalism and conduct as those expected of SIRM staff. SIRM has an understanding with its sub-contractors and partnersthat, should a safeguarding allegation be made against their employee, they will notify the SIRM designated person and follow suitably robust procedures to deal with that allegation.

Annex 3. The legislative context

Working together to safeguard children (DCSF (now DfE), 2010) sets out how organisations and individuals should work together to safeguard and promote the welfare of children and young people, in accordance with the Children Act 1989and the Children Act 2004. These Acts are the primary legislation from which *working together to safeguard children* derives its legislative basis.

Part I of *Working Together to safeguard children* is statutory guidance and includes in chapter 6 supplementary guidance on safeguarding and promoting the welfare of children, including:

- sexually exploited children
- children affected by gang activity
- fabricated or induced illness
- investigating complex (organised or multiple) abuse
- female genital mutilation
- forced marriage and honour-based violence
- allegations of abuse made against a person who works with children
- abuse of disabled children
- child abuse linked to belief in 'spirit possession'
- child victims of trafficking.

Part II is non-statutory practice covering lessons from research, working with children and families, safeguarding childrenwho may be particularly vulnerable and managing individuals who pose a risk to children.

Working together to safeguard children provides helpful guidance on the roles and responsibilities of organisations and providers in the safeguarding of children and young people.

Section 11 of the Children Act 2004 and section 55 of the Borders, Citizenship and Immigration Act 2009 place duties onorganisations and individuals to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. Section 175 of the Education Act 2002 places the same duties on organisations and individuals to achieve this by:

- creating and maintaining a safe learning environment for children and young people; and,
- identifying where there are child welfare concerns and taking action to address them, in partnership withother organisations where appropriate.

Under the Education Act 1996, corporal punishment was outlawed in all schools and many other settings. In March 2010,the government indicated that it was accepting the recommendation by Sir Roger Singleton that this ban should be extended to all settings outside the context of the family. The law forbids a teacher or other member of staff from using any degree of physical contact which is deliberately intended to punish a pupil, or which is primarily intended to cause pain injury or humiliation. The use of reasonable force to control or restrain pupils under certain circumstances is allowed,provided authorisation has been granted to have control or charge of pupils. Other staff may also do so, in the same wayas teachers, provided they have been authorised by the head teacher to have control or charge of pupils. All schools should have a policy about the use of force to control or restrain pupils and all SIRM staff working in schools must read and retain a copy of the policy.

Early Years and Childcare Services

All organisations providing group daycare must have a designated person who is responsible for liaising with local child protection agencies and SIRM on child protection issues, and other staff should be able to implement child protection procedures in the absence of that person.

Vetting staff who work with children and young people

It is the responsibility of SIRM to ensure it has secure evidence that staff have their identity, qualifications and criminal records checked.

The following checks are made on all people working for SIRM:

- references
- identity
- UK residence or permission to work in the UK
- Disclosure and Barring Service (DBS (CRB)) enhanced disclosure
- overseas criminal record check (where necessary)
- check against the Independent Safeguarding Authority barred list
- medical fitness
- explanations of any gaps in employment or academic history
- qualifications
- professional status
- complete induction and/or probationary period, as required for the position.

From October 2009, the three former barred lists (List 99, the Protection of Children Act List and the Protection of Vulnerable Adults List) started to be replaced by two new Independent Safeguarding Authority barred lists (Children's List and Vulnerable Adults List).

The Disclosure and Barring Service (DBS (CRB)) is an executive agency of the Home Office. It provides access to criminal record information to help organisations make safer recruitment decisions by identifying candidates who may be unsuitable for certain work. The DBS (CRB) now offers one type of effective disclosure:

- enhanced disclosure shows current and spent convictions, cautions, reprimands and warnings held on the PoliceNational Computer. In the case of a post which involves working with children, the Protection of ChildrenAct 1999 list and information that is held under the section 142 of the Education Act 2002 – commonly known as List 99 and now being replaced by the ISA children's barred list – will be searched. Any person whose name ison List 99 (now the ISA list) is barred from working with children. Enhanced disclosures also show any relevant information held by local police forces such as details of acquittals, pending prosecutions or other non- conviction information.

Existing staff should not be asked to apply for a fresh disclosure unless the employer, school, further education institutionor training provider has grounds for concern about their suitability to work with children.
Applications for enhanced disclosures are usually made on paper and must be signed by the applicant and authorisedby an employer.

The disclosure is sent to the applicant and a copy sent to the employer. The decision concerning the suitability of an applicant in light of the disclosure rests with the employer. The record of the disclosure must be kept in secure conditions.

Providing a person is not barred, they can begin work in day settings while an enhanced disclosure DBS (CRB) check is being carried out as the process may take some weeks to be completed. Due to the higher requirements of the NationalMinimum Standards, staff or learners working in boarding or residential provision may not take up their posts until an enhanced DBS (CRB) check is complete.

Children and Vulnerable Adults Barred Lists
The Safeguarding Vulnerable Groups Act 2006 set out the legislative context for the introduction of the ISA and the Vetting and Barring Scheme, with its barred lists for children and vulnerable adults. This legislation replaces the previousbarred lists under the Protection of Children Act 1999 and the Protection of Vulnerable Adults scheme.
Since October 2009, it has been a criminal offence for individuals barred by the ISA to work or apply to work with childrenor vulnerable adults in a wide range of posts – including most jobs in the NHS, Prison Service,

education and childcare. Employers also face criminal sanctions for knowingly employing a barred individual across a wider range of work.

Employers, local authorities, professional regulators and other bodies (including SIRM) have a duty to refer to the ISA anyinformation about individuals working with children or vulnerable adults where they consider them to have caused harmor pose a risk of harm.

Regulated activity is the term used in the Safeguarding Vulnerable Groups Act 2006 and the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 to cover activities where people are working or volunteering with children or vulnerable adults on a regular basis.

Regulated activity covers anyone working closely with children or vulnerable adults, either paid or unpaid, not part of afamily or personal arrangement, on a frequent or intensive basis. It can include, but is not limited to, any of the following:

- teaching, training or instruction, care or supervision of children or provided wholly or mainly to vulnerableadults
- providing advice or guidance for children or young people
- providing advice, guidance or assistance wholly or mainly to vulnerable adults
- any form of healthcare treatment or therapy provided to children or vulnerable adults
- driving a vehicle that is being used for the specific purpose of conveying children or vulnerable adults
- working in a specified place.

The scheme also covers a special category of work called ‘controlled activity’. Employers will be able to employsomeone barred from regulated activity to carry out controlled activity, provided they put in place specific safeguards. Controlled activity will include:

- frequent or intensive activity that is ancillary to healthcare in hospitals or primary care
- frequent or intensive ancillary activity in adult social care settings and further education settings, and
- people working for specified organisations with access to health or social services records. In each case there must be an opportunity for contact with children or vulnerable adults, or the opportunity to have access to health or social services records for children or vulnerable adults, or educational records for children.

Annex 4. Safeguarding flowchart

