

## Safeguarding Policy and Procedure for Learners

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## Safeguarding Policy and Procedure for Learners

This policy explains what safeguards the company has in place to protect you from abuse and harm and what you can do if you are suffering some type of abuse or you suspect someone else you know is suffering

### Definitions

Children are, as defined in the Children's Act, a person under the age of 18.

Vulnerable Adults are persons aged 18 or over and are considered vulnerable if they are:

- substantially dependent upon others in performing basic physical functions, or their ability to communicate with other providing services, or to communicate with others, is severely impaired, and, as a result, would be incapable of protecting themselves from assault or other physical abuse, or there is a potential danger that their will or moral well-being may be subverted or overpowered
- living in in sheltered housing or residential accommodation, such as a care home or a residential special school;
- receiving any form of health care or domiciliary care in their own home;
- detained in a prison, remand centre, young offender institution, secure training centre or attendance centre or under the powers of the Immigration and Asylum Act;
- in contact with probation services;
- receiving a welfare service of a description to be prescribed in regulations;
- receiving a service or participating in an activity which is specifically targeted at people with age-related needs, disabilities or prescribed physical or mental health conditions (age related needs includes needs associated with frailty, illness, disability or mental capacity)
- an expectant or nursing mother living in residential care
- receiving direct payments from a local authority/HSS body in lieu of social care services;
- in need of assistance in the conduct of their own affairs

For the purpose of this policy persons outlined above will be referred to as vulnerable persons

### Types of abuse

There are many kinds of abuse and it is important to be clear what is classed as abuse:

- physical abuse, including hitting, slapping, pushing, kicking, or inappropriate sanctions;
- sexual abuse, including encouraging relevant individuals to look at pornography, harassing them by making sexual suggestions or comments, or sexual acts where the individual 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;
- 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;

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- 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; and
- discriminatory abuse, including racist, sexist, that based on a person's disability, and other forms of harassment, slurs or similar treatment.

### Our commitment to you

The Safety of Vulnerable People is an issue that MERCURI INTERNATIONAL (UK) LTD takes very seriously. We have a duty of care obligation to prevent abuse and harm towards every child or vulnerable adult within our responsibility.

Working in collaboration with other agencies to protect Vulnerable Persons from harm and exploitation we will ensure all staff are trained to recognize the signs of abuse and are instructed and informed of policies and procedures of reporting and recording such concerns.

We will do this by:

- Designating member(s) of staff responsible for safeguarding and ensuring that they receive appropriate training;
- Identifying and communicating the roles and responsibilities for staff and ensuring they receive appropriate training;
- Having in place procedures to deal with concerns/suspicions about all Vulnerable Persons welfare and to deal with allegations of abuse against members of staff and learners;
- Ensure everyone is aware of this policy and knows the procedure to adopt when reporting safeguarding related incident/allegation or concern;
- Operating safe recruitment procedures liaising with all providers regarding new learners;
- Allocating sufficient resources to the issue;
- Having clear audited procedures in place, to monitor and review all specific policies and procedures annually; and
- Carrying out risks assessments which will include an evaluation of hazards which could cause harm to Vulnerable Persons.

### Responsibilities

The Managing Director holds full responsibility for the safeguarding of vulnerable persons and has appointed members of staff to act as the 'Designated Lead' and 'Support Persons' to whom all issues relating to safeguarding should be reported. Full details of any safeguarding related incident, allegation and/or concern will be reported to the Designated Lead within 2 working days.

### Designated Person(s)

Designated Persons and selected support staff will be required to undergo full training in safeguarding issues and inter-agency working and will receive refresher training at least annually. Individuals will also be required to keep up-to-date with any developments in safeguarding issues.

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MERCURI INTERNATIONAL (UK) LTD will also appoint a 'Safeguarding Champion' who will work with senior management to champion, review and monitor safeguarding within centres on a regular basis.

Details of the Designated and Support Persons will be posted within each training venue.

## Recruitment and Selection

The Company have established policies and procedures for the recruitment and selection of employees and the vetting of applicants to courses which involve (but not limited to):

- Defined Job Description and/or Person Specification for each role made available to prospective candidates prior to application;
- Use of Recruitment Agencies as required
- Telephone and/or face to face interview with an existing member of MERCURI INTERNATIONAL (UK) LTD.
- Opportunity to receive feedback on interview regardless of outcome

## Whistleblowing

Whistleblowing is an important aspect of safeguarding. Working with vulnerable persons places staff and volunteers in positions of power and in order to gain your trust and respect it is essential that all reasonable steps are taken to ensure this power is exercised responsibly.

There may be situations when you have genuine concerns about the conduct or wrong doing of someone within the organization. Everyone within the Company has the right and the responsibility to raise concerns, about the behaviour of staff, volunteers, or learners, which may be harmful to those in their care and will receive appropriate support when doing so. Staff, volunteers and vulnerable persons alike are encouraged to share any concerns they may have so that problems can be identified, dealt with and resolved quickly without prejudice to their own position.

Further information on Whistleblowing can be found in the Whistleblowing Policy.

## What can you do if you suspect abuse?

If you know of a worrying situation, you have been subjected to abuse or you suspect someone you know may have been, please do not ignore it speak to someone about it. Contact a member of the Support Team, the Designated Person or if it is difficult to speak to one of these people for any reasons speak to someone else you trust.

## How we will help?

When you report any concerns, we will

- Listen to you what you have to say and take what you say seriously
- Make sure that you or anyone else is not in any immediate danger

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- We will take into account any language or communication barriers and if necessary obtain the services of a third party to assist in any interviews.

In order to protect you, we need your permission to investigate your concerns. If you do not want us to do this, we will respect your wishes even if we think that you are still at risk. However, there are some situations when we will override your wishes. This may be because

- The incident is very serious and a crime may have taken place
- You or other people may be at risk of harm
- You are not the only person affected and risks to other people needs to be considered
- You may not have the mental capacity to make informed decisions and other people need to act in your best interests

### What happens next?

Details of the incident will be reported to the Designated Person who will decide upon the next course of action which may be:

- To take independent advice from experts (at this stage we will protect your identity)
- Refer the matter to social services or other appropriate support organisation
- Whether the police should be brought in (immediate referral is essential in a case of sexual abuse)

If you have not already given us permission to take the incident further, we may ask you again for your permission. If you are still not happy with us doing this, we will comply with this other than for cases where the above apply.

### Follow up Action

A case discussion meeting will be held as soon as possible after completion of the investigation.

The purpose of the meeting being to identify and action:

- What steps are required to ensure there is no re-occurrence
- Modifications in the way services are provided
- Any ongoing risk management requirements
- Any additional staff training
- Support provisions required for anyone personally affected by the case

### Support

Anyone personally affected by a particular case (e.g. where they have reported or handled a disclosure or allegations have been made against them) may wish to talk through their concerns with the Designated Person and may also be referred for appropriate counselling. The Managing Director/Designated Person shall agree a framework for working forward from the allegation. Within

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this framework the Company will continue to work with everyone involved including other agencies towards the elimination of the abuse.

The needs assessment will be revisited and the risk assessment up-dated if appropriate.

### Confidentiality

Staff will respect confidentiality and will not divulge information given in confidence unless justified by the assessed risk or if agreed through inter-agency protocols. If you disclose an incident of abuse the boundaries of our confidentiality towards you and the need to pass on that information in some cases are pointed out to you, however, as explained earlier in this document there may be situation when, we may need to break your confidence.

You yourself must also respect any confidentiality issues which may arise.

### Record Management and Data Protection

Records of incidents, assessments, options, identified decisions and actions taken (including no further action) will be kept. These will be stored in an individual file and stored securely in a manner that safeguards your rights to privacy and security and meets the requirements of the Data Protection Act, records will be made available to individuals on request (except third party information). They may be used as evidence in civil or criminal prosecutions or in disciplinary proceedings and shall be retained for a period of six years after which time they will be disposed of under controlled, secure conditions.

### Monitoring

For every suspected/alleged/actual incident of abuse a monitoring form will be completed and passed to the designated person. From this the Company will consider whether the abuse raises organisational issues, which need addressing through the raising of new procedures, policies and addition training needs.

### Implementation and Review

This Policy will be implemented and reviewed through the company's Safeguarding Action Plan. Progress against actions and objectives will also be reported to the Managing Director on a quarterly basis and the Action Plan updated and circulated to all relevant parties. Any relevant risks or issues will be escalated as per the company's Risk Register process.

We will assess the impact of this Policy by monitoring as follows:

- Collection & analysis of staff monitoring data with regard to recruitment, training, promotion, re-grading and complaints and report this information annually to the Board of Directors
- Collection & analysis of student monitoring data with regard to recruitment, progression and completion and report this information annually to the Board of Directors.

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This Policy will be reviewed on annual basis to ensure that it reflects best practice and current legislation. We will consult widely with the Board of Directors, training teams and other stakeholders.

### Staff Training

All staff are required to take part in Safeguarding training appropriate to their role with new staff required to take Safeguarding training as part of their induction and thereafter annually refresh this training. Information on all related training is available on request.

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### Version Information

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