

Procedure for Safeguarding Young People and Adults at Risk

Lomax Training Services is committed to safeguarding and promoting the welfare of children and young people, as well as vulnerable adults, and expects all staff to share this commitment.

Safeguarding Young People and Adults at Risk (Equality and Diversity Assessment)

We will consider any request for this policy to be made available in an alternative format.

We review our policies regularly to update them and to ensure that they are accessible and fair to all. All policies are subject to equality regular review. Reviews are carried out to see whether the policy has, or is likely to have, a different impact on grounds of race, gender, disability, age, religion, sexual orientation or human rights.

We are always keen to hear from anyone who wants to contribute to these reviews and we welcome suggestions for improving the accessibility or fairness of the policy.

To make suggestions or to seek further information please contact:

Colin Arkley – Quality Manager

Tracey Butler – Business Development Manager

Safeguarding Young People and Adults at Risk

1. Scope and Purpose and Key Definitions and Concepts

This procedure applies to all employees of Lomax Training Services Limited. We recognise that all our staff have an important role to play in helping to promote and safeguard the welfare of Young People and Adults at Risk to help protect them from abuse.

The purpose of the procedure is to safeguard and protect the welfare of all our students and help to encourage all staff to achieve and maintain the highest standards of Safeguarding Young People and Adults at Risk.

Safeguarding and promoting the welfare of Children is everyone's responsibility, everyone who encounters children, their families and carers has a role to play in safeguarding.

2. Key Definitions and Concepts

This procedure applies to all learners and is in place to ensure that young people and adults at risk are protected from all forms of abuse as stated in Appendix A of our policy. All complaints and allegations or suspicions will be taken seriously and in accordance with our policy.

Safeguarding incidents and/or behaviours can be associated with factors outside Lomax Training Services Limited and/or can occur between young people and adults at risk outside the educational environment. All staff, but especially the designated safeguarding lead (or deputy) should be considering the context within which such incidents and/or behaviours occur.

This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare.

Lomax Training Services Limited staff who have regular contact with learners and are well placed to observe significant changes in a learner's behaviour, a failure to thrive or outward signs of abuse.

In addition, Young People and Adults at Risk may choose to share their concerns with staff whom they feel they can trust and with whom they are comfortable. Staff need to know how to respond sensitively to a learner's concerns and whom to approach for advice.

Any staff member who have concerns about a young person under the age of 18 living outside of the family home and who is being provided with care and accommodation by someone who they are not related to should inform the DSL.

3. **Responding to Disclosure and Allegations of Abuse**

Whilst our staff are not responsible for investigating abuse it is essential that any suspicions of significant harm or allegations of abuse are acted upon and treated seriously.

The following brief notes provide guidance for staff who receive a disclosure or who have concerns about allegations of abuse against a Young Person (under 18) or Adult at Risk (18 or over).

Where a member of staff has any concerns about the risk of possible or actual radicalisation of an individual, then she/he is required to report that immediately to a Designated Safeguarding Lead (DSL).

The DSL will then refer the concern via CHANNEL, which uses existing collaboration between local authorities, statutory partners, the police and the local community to identify individuals at risk of being drawn into terrorism, assess the nature and extent of that risk and develop the most appropriate support for the individuals concerned.

4. **A member of staff receiving a Disclosure**

You must;

1. Take all allegations or suspicions of abuse seriously;
2. Respond with tact and sensitivity to anyone who confides in you;
3. Stay calm and reassure the learner that she/he is right to tell someone of their concerns;
4. Re-assure the learner that it is right to speak to someone;
5. Inform the learner that information will be passed on to whom, and why (i.e.. the appropriate person in the company who will seek further advice and help);
6. Ensure tact and diplomacy and discretion (only the people who need to know will be told);
7. Allow the learner to speak freely in her/his own way and time and at her/his own pace. Avoid interrupting when the learner is recalling significant events;
8. Only clarify what the learner is trying to say and ascertain whether there are any immediate issues of safety for the learner or any other learner(s);
9. Take notes as accurately as possible what was said, use the learner's own words; do not interpret.

Ensure the following:

Include the time, context and location of the disclosure. Please record the following information about the learner;

- name
- address;
- date of birth;
- telephone contact;
- Training course, if known;
- date and sign the notes;

Please keep a written record of the conversation these notes should be taken at the time of disclosure. Report as soon as practicable (or within the hour) to a Designated Safeguarding Lead (see Section 5) and ensure all notes and further information are passed over to.

You Must Not

1. promise confidentiality (only those who need to know will be told);
2. make judgements;
3. investigate the allegation or suspicion of abuse;
4. ask leading questions or probe for details (this may jeopardise future investigations);
5. interpret what has been said or make assumptions/judgements about the situation;
6. contact parents/carers before seeking advice;
7. talk to the alleged perpetrator(s) or pass on any information about the learner.

5. Following up a Disclosure, Allegation or Suspicion of Abuse

Anyone making a disclosure can contact a range of people/agencies (See Appendix A of this document)

You are encouraged to contact one of the companies' Designated Safeguarding Lead immediately:

Colin Arkley
Quality Manager
Mobile: 07803 409059
colinarkley@lomaxtraining.co.uk

Tracey Butler
Business Development Manager
Mobile: 07920 492254
traceybutler@lomaxtraining.co.uk

1. If, at any point, there is a risk of immediate serious harm to a person a referral should be made to DL immediately. Anybody can make a referral. If the person's situation does not appear to be improving the staff member with concerns should press for re-consideration. Concerns should always lead to help for person/child at some point.
2. All written information and rough notes will be retained by a Designated Safeguarding Lead.
3. Where there are serious concerns of 'significant harm' the Designated Safeguarding Lead will refer to the Local Authority.
4. A referral form should be forwarded by the Designated Safeguarding Lead within 2 days.
5. Any actioned safeguarding concerns will be followed up by our Designated Safeguarding Lead with the learner and records of the information stored securely for future reference.
6. The Designated Safeguarding Lead will co-ordinate any requests for information which will contribute to an assessment of the learner and agree monitoring and follow up arrangements as appropriate.
7. When a young person, who is subject to a Child Protection Plan, leaves Lomax Training Services Limited the Designated Safeguarding Lead will inform the new education establishment and arrange the transfer of appropriate information to the appropriate Designated Safeguarding Lead.

6. Supporting SEND students

- a. Evidence on the extent of abuse among Young People and Adults at Risk with learning difficulties and disabilities suggests that some may be especially vulnerable to abuse, for example those who have difficulty communicating:
 - i. those working with Young People and Adults at Risk with special educational needs and/or disabilities often provide close support and may encounter indications of possible abuse;
 - ii. whilst extra care may be needed to ensure that signs of abuse and neglect are interpreted correctly, any suspicions should be reported in the same manner as for other Young People and Adults at Risk.

7. Dealing with Allegations of Abuse Against a member of Staff

In addressing allegations of abuse made about staff, Lomax Training Services Limited will seek to ensure compliance with the prevailing guidance from the Department for Education, United Kingdom employment legislation, laws of natural justice and its own internal procedures.

Particular attention will be given to Part Four: Allegations of abuse made against teachers and other staff, Duties as an employer and an employee (Keeping Children Safe in Education 2020).

The following arrangements relate to all staff working at Lomax Training Services Limited.

Initial action by the person receiving or identifying an allegation or concern

The person to whom an allegation or concern is first reported should treat the matter seriously, keep an open mind and follow the approach identified in Section 3 and 4 of this procedure.

She/he must not:

- investigate or ask leading questions if seeking clarification;
- make assumptions or offer alternative explanations;
- promise confidentiality (but should give assurance that the information will only be shared on a 'need to know' basis).

She/he must:

- make a written record of the information (where possible in the persons own words) including the time, date and place of incident(s), persons present and what was said;
- sign and date the written record;
- immediately report the matter to Colin Arkley or in his absence Tracey Butler.
- if the allegation is about the Colin Arkley it should be reported to the Managing Director

Initial Action by the DL

DL will follow the Lomax Training Services Limited procedures (outlined below) if there is a concern or it is alleged that a member of staff has:

- behaved in a way that has harmed or may have harmed a young person;
- possibly committed a criminal offence against or related to a young person; or
- behaved towards a young person/or Young People and Adults at Risk in a way that indicates she/he is unsuitable to work with children or Young People and Adults at Risk.

DL will not investigate the matter nor interview the member of staff, person concerned nor potential witnesses.

She/he will:

- obtain written details of the concern/allegation, signed and dated by the recipient (not the young person making the allegation).
- countersign and date the written details;
- record any information about times, dates and location of incident(s) and names of any potential witnesses;
- record discussions about the young person and/or members of staff, any decisions made and the reasons for those decisions;

report to the Local Authority Designated Officer as soon as practicable (e.g. the same day).

- i. or local police if the allegation requires immediate attention but is received out of hours, then inform the Local Authority Designated Officer as soon as practicable.

Initial Consideration

The Local Authority Designated Officer will discuss the matter with the CDL and where necessary obtain further details of the allegation and the circumstances in which it was made.

The discussion should also consider whether there is evidence or information that establishes that the allegation is false or unfounded, but the company will not instigate any investigation into the allegation at this stage.

However, this does not preclude Lomax Training Services Limited from considering and actioning suspension from duty for the member of staff whom the allegation has been made against.

If the allegation is not patently false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, the Local

Authority Designated Officer will immediately refer to Children's Care and ask for a Strategy Discussion in accordance with Working Together to Safeguard Children to be convened straight away. In those circumstances the Strategy Discussion should include the Local Authority Designated Officer and DL.

If there is not cause to suspect that "significant harm" is an issue, but a criminal offence might have been committed, the Local Authority Designated Officer should immediately inform the police and convene a similar discussion to decide whether a police investigation is needed.

Where it is determined that a criminal offence might have been committed Lomax Training Services Limited will suspend its internal discipline investigation, until a conclusion is reached by the Police/Crown Prosecution Service (CPS).

If the police and/or CPS decide not to charge the individual with an offence, or decide to administer a caution, or the person is acquitted by a Court, the police should wherever possible aim to pass all information they have which may be relevant to a disciplinary case to Lomax Training Services Limited within three working days of the decision.

If the person is convicted of an offence the police should also inform Lomax Training Services Limited and Colin Arkley immediately so that appropriate action can be taken.

Action following Initial Consideration

Where the initial consideration decides that the allegation does not involve a criminal offence, Lomax Training Services Limited will consider the matter under its prevailing discipline procedure.

In such cases, if the nature of the allegation does not require formal disciplinary action, Lomax Training Services Limited will institute an appropriate response/action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held as soon as practicable.

Where further investigation is required to inform consideration of disciplinary action, DL, Lomax Training Services Limited will discuss who will undertake that with the Local Authority Designated Officer. The investigation will seek to be concluded as soon as practicable, resulting in a formal report for the consideration of the Colin Arkley.

Within two days of receipt of the report of the disciplinary investigation, DL will

consult the Local Authority Designated Officer and determine if a *prima facie* case exists in relation to the allegations and whether a disciplinary hearing is needed. In all cases in which Children's Care has undertaken enquiries to determine whether the young person needs protection, Lomax Training Services Limited will take account of any relevant information obtained in the course of those enquiries when considering disciplinary action.

If it is determined that a disciplinary hearing is needed it should be held as soon as practicable. The Local Authority Designated Officer will provide advice or support when required or requested. The disciplinary hearing will be held in accordance with Lomax Training Services Limited's prevailing policy.

Referral to Department for Education

If, on conclusion of the process, Lomax Training Services Limited ceases to use the person's services, or the person ceases to provide his or her services, Lomax Training Services Limited will consult the Local Authority Designated Officer about whether a referral to the Department for Education is required. If a referral is appropriate the report should be made within one month of the advice being sought.

Responsibility for Implementing this Procedure

Responsibility for the implementation of this procedure resides at all levels of the company specifically Jim Lomax, Managing Director, and Colin Arkley, Quality Manager.

8. Associated Documentation

This procedure should be read in conjunction with the following supporting/related documentation:

Policy on Safeguarding Young People and Adults At Risk

9. Review of this Procedure

All procedures will be subject to a review either because of the changing landscape, against which the procedure was originally drafted, or in keeping with good governance.

The timings of review will, if not as a result of that changing landscape, be no longer than one year from the previous review.