

Adults at Risk of Harm – Safeguarding Policy and Procedure

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1. Purpose

- 1.1 Walsall College is passionate about safeguarding our students. We believe that not only do we have a statutory duty to ensure that we safeguard and promote the welfare of adults at risk of harm in our care, but also a moral duty. This policy and procedure describe how we recruit and train our staff, support our students, make referrals and deal effectively with allegations against staff. It incorporates a wide range of risks we need to safeguard against and to be clear in our response to the changing landscape of the safeguarding agenda.
- 1.2 Throughout this policy and procedure, reference is made to 'adults at risk of harm'. Adults at risk of harm are defined as people aged 18 years old and over who may need or receive community care services by reason of mental health or other disability, age or illness and who may be unable to take care of themselves or protect themselves against significant harm or exploitation. The procedure will be applied, with appropriate adaptations to all students.
- 1.3 This policy has been developed using the [West Midlands Adult Safeguarding Policy and Procedures](#) which describes how to work together to prevent and protect adults with care and support needs from abuse and how to make enquiries and take action about actual or suspected abuse and neglect and with reference to [The Care Act 2014](#) and is shared with parents/carers on the College website www.walsallcollege.ac.uk.
- 1.4 The individual's wellbeing is at the heart of the care and support system under the [Care Act 2014](#) and the prevention of abuse and neglect is one of the elements identified to promote a person's wellbeing. In the context of the legislation, specific adult safeguarding duties apply to any adult who:
- has care and support needs and;
 - is experiencing, or is at risk of, abuse or neglect and;
 - is unable to protect themselves because of their care and support needs.
- 1.5 The following 6 principles apply to all sectors, including further education and should inform the ways in which professionals and other staff work with adults:
- **Empowerment**
People being supported and encouraged to make their own decisions and informed consent
 - **Prevention**
Acting before harm occurs
 - **Proportionality**
The least intrusive response appropriate to the risk presented
 - **Protection**
Support and representation for those in greatest need
 - **Partnership**
Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse
 - **Accountability**
Accountability and transparency in delivering safeguarding

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[The Mental Health Capacity Act 2005](#) covers England and Wales and it provides a statutory framework for people who lack capacity to make decisions for themselves, or who have capacity and want to prepare for a time when they may lack capacity in the future.

Making safeguarding personal is a shift in culture and practice, in response to what we now know about what makes safeguarding more or less effective, from the perspective of the person being safeguarded. It is about having conversations in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety. It is a shift from a process supported by conversations to a series of conversations supported by a process.

2. Governing Body Responsibilities

- 2.1 The Governing Body at Walsall College abide by their responsibilities as outlined in [The Care Act 2014](#) (sections 42 – 46). Governors also have specific responsibility for ensuring that the College monitors the impact of its work and learning lessons from [Safeguarding Adults Reviews \(SARs\)](#).
- 2.2 The Governing Body instructs the College to:
- Provide a safe environment for adults at risk of harm to learn in;
 - Identify those who are suffering, or are likely to suffer significant harm or who are at risk of radicalisation;
 - Have a system for identifying concerns in relation to abuse of adults at risk of harm and effective methods of responding to disclosures;
 - Refer concerns that an adult at risk of significant harm or who might be at risk of significant harm to the appropriate referral agents;
 - Consider the interagency safeguarding procedure of [Walsall Safeguarding Adults Board](#);
 - Listen to the voice of the adult at risk of harm and always act in their interest;
 - Ensure appropriate safeguarding responses for adults at risk of harm who go missing from College;
 - Ensure there is an effective Safeguarding Policy in place together with a Staff Code of Conduct which include staff/student relationships and communications including use of social media;
 - Ensure there are clear systems and processes in place for identifying possible mental health problems, including routes to escalate and clear referral and accountability systems;
 - Utilise the experiences and expertise of its staff when shaping safeguarding policies.
- 2.3 The Governing Body will approve and annually review policies and procedures and receive regular information relating to safeguarding with the aim of:
- Maintaining awareness of progress across the College and/or issues relating to the welfare of adults at risk of harm;
 - Being reassured by the Principal and lead manager that systems are in place and effective in relation to the identification of adults at risk of harm and procedures for reporting concerns are widely known;
 - Ensuring effective procedures for reporting and dealing with allegations of abuse by members of staff or others who come into contact with students through College activity are in place including referral to the Adult Safeguarding Lead, Walsall Council;
 - Ensuring safe recruitment of staff and volunteers;
 - Ensuring staff are appropriately trained to discharge their duties in relation to safeguarding;
 - Ensuring procedures are in place to make referral to the [Disclosure and Barring Services \(DBS\)](#) if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have been if they had not resigned.

In developing policies and procedures, the Governing Body will take account of guidance issued by the Department for Education, [The Ofsted Education Inspection Framework \(EIF\) September 2019](#)

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and other relevant bodies and groups including [Walsall Safeguarding Adult Board](#). The impact of safeguarding arrangements is tested under the quality of leadership and management and report on whether or not safeguarding arrangements are effective.

- 2.4 The aim of the [Government’s Prevent Strategy](#) is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. This is part of an overall counter-terrorism strategy called CONTEST which is split into four work-streams that are known as the four “P’s”- Prevent, Pursue, Protect and Prepare. In the [Counter-Terrorism and Security Act 2015](#) this has simply been expressed as “prevent people from being drawn into terrorism.”

The Government’s Prevent Strategy has three specific strategic objectives:

- Respond to the ideological challenge of terrorism and the threat we face from those who promote it;
- Prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and
- Work with sectors and institutions where there are risks of radicalisation that we need to address.

The Government has defined extremism in the Prevent strategy as “vocal or active opposition to fundamental British Values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces”. The aim of this Safeguarding Policy is to ensure, as far as possible, that the College is fulfilling its duty in [sections 26 and 29 of the Counter-Terrorism and Security Act 2015](#). The College will participate fully in work to prevent people from being drawn into terrorism and will ensure that, should this occur, there are procedures to deal with them.

- 2.5 The Principal, Governors and all staff working with adults at risk of harm will receive adequate training to familiarise them with their safeguarding roles and responsibilities. They will be familiar with College procedures and policies and receive refresher training at least every 2 years. A senior member of the College Management Team, the Head of Student Services, will be the designated person with lead responsibility for child and adult protection. They will be the Designated Safeguarding Lead (DSL) who will undergo training, at least, every 2 years and in addition, keep up-to-date with safeguarding developments. This person will also be the Single Point of Contact for Preventing Radicalisation (SPOC). The Head of Student Services is supported by Deputy Safeguarding Officers and the Safeguarding Team who support and share responsibility for safeguarding students.
- 2.6 The Governing Body will receive from the Designated Safeguarding Lead an annual report which reviews how the duties have been discharged. In addition, the Principal will include information relating to safeguarding in his termly report to Corporation.
- 2.7 The College recognises the different types and patterns of abuse and neglect and the different circumstances in which they may take place. This is not intended to be an exhaustive list but an illustrative guide within the [Care Act 2014](#), as to the sort of behaviour which could give rise to a safeguarding concern for an adult at risk of harm.

3. Types of Abuse and Neglect

- 3.1 Abuse or neglect is complex and rests on many factors. The term “abuse” can be subject to wide interpretation. It may be physical, verbal or psychological, it may be an act of neglect, or occur where a person is persuaded to enter into a financial or sexual transaction to which they have not, or cannot consent.

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Incidents of abuse may be one-off or multiple, and affect one person or more. Professionals and others should look beyond single incidents or individuals to identify patterns of harm.

Abuse or neglect may be the result of deliberate intent, negligence or ignorance. Exploitation can be a common theme in the experience of abuse or neglect. Whilst it is acknowledged that abuse or neglect can take different forms, the Care Act guidance identifies the following types of abuse or neglect:

- Physical abuse;
- Domestic violence;
- Sexual abuse;
- Psychological abuse;
- Financial or material abuse;
- Modern slavery;
- Discriminatory abuse;
- Organisational abuse;
- Neglect and acts of omission;
- Self-neglect;
- Serial abuse in which the perpetrator seeks out and 'grooms' individuals;
- Sexual abuse;
- Long-term abuse in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse; or
- Opportunistic abuse.

3.2 Physical abuse - including:

- assault
- hitting
- slapping
- pushing
- misuse of medication
- restraint
- inappropriate physical sanctions

Possible indicators could be:

- unexplained or inappropriately explained injuries;
- adult inhibiting untypical self-harm;
- unexplained cuts or scratches;
- unexplained bruising to the face, torso, arms, back, buttocks, thighs in various stages of healing;
- unexplained burns on unlikely areas of the body;
- unexplained fractures at various stages of healing to any part of the body;
- adult flinches at physical contact;
- adult appears frightened or subdued, may repeat what the person causing harm has said.

3.3 Domestic abuse – any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass but is not limited to:

- psychological
- physical
- sexual
- financial

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- emotional
- so called 'honour' based abuse – forced marriage

Refuge runs the [National Domestic Abuse Helpline](#) which can be called free of charge and in confidence 24 hours a day on 0808 2000 247. The website provides guidance and support for potential victims.

3.4 Sexual abuse -

- rape
- indecent exposure
- sexual harassment
- inappropriate looking or touching
- sexual teasing or innuendo
- sexual photography
- subjection to pornography or witnessing sexual acts
- indecent exposure
- sexual assault
- sexual acts to which the adult has not consented or was pressured into consenting.

3.5 Psychological abuse including:

- emotional abuse
- threats of harm or abandonment
- deprivation of contact
- humiliation
- blaming
- controlling
- intimidation
- coercion
- harassment
- verbal abuse
- cyber bullying
- isolation
- unreasonable and unjustified withdrawal of services or supportive networks.

3.6 Financial or material abuse including:

- theft
- fraud
- internet scamming
- coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions
- the misuse or misappropriation of property, possessions or benefits.

3.7 Modern slavery encompasses:

- slavery
- human trafficking
- forced labour and domestic servitude
- traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

3.8 Discriminatory abuse including forms of:

- harassment
- slurs or similar treatment:

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- because of race
- gender and gender identity
- age
- disability
- sexual orientation
- religion

3.9 Organisational abuse

Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

3.10 Neglect and acts of omission including:

- ignoring medical, emotional or physical care needs;
- failure to provide access to appropriate health, care and support or educational services;
- the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Neglect is an often under reported or unchallenged concern for adults at risk of harm.

3.11 [Self-neglect](#)

This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. It should be noted that self-neglect may not prompt a section 42 enquiry. An assessment should be made on a case-by-case basis. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this, without external support:

- Living in very unclean, sometimes verminous circumstances;
- Poor self-care leading to a decline in personal hygiene;
- Poor nutrition;
- Poor healing/sores;
- Poorly maintained clothing;
- Isolation;
- Failure to take medication;
- Hoarding.

3.12 [Exploitation](#)

Abuse of adults with care and support needs often occurs within a context of exploitation. This can be seen as an act where someone will use another person for profit, labour, sexual gratification, or some other person or financial advantage. It can take the form of financial, emotional, psychological or sexual exploitation.

3.13 Criminal Exploitation

Where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive an adult into any criminal activity:

- In exchange for something the victim needs or wants;
- For the financial or other advantage of the perpetrator or facilitator such as to support serious organised crime and/or terrorism;

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- Through violence or the threat of violence to ensure compliance.

The victim may be criminally exploited even if the activity appears consensual. It can also occur using technology and or social media.

3.14 Organised Crime and County Lines

Organised Crime is “serious crime planned, coordinated and conducted by people working together on a continuing basis. Their motivation is often, but not always, financial gain.” Organised crime groups are “organised criminals working together for a particular criminal activity or activities.”

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of “deal line”.

3.15 Cuckooing

This term is “named after the nest stealing practices of wild cuckoos. It describes the situation where a county lines dealer ‘takes over’ accommodation located in the provincial drugs market, using it as a local dealing base.”

An individual or group can do this by taking over the homes of local adults and families (including children and adults with care and support needs) through an abuse of power or vulnerability by coercion, control and/or force so that they can provide a base for the supply of drugs into the local community.

This places the adult and/or families at an increased risk of eviction (if they are in social or privately rented housing) and isolation from their communities due to the anti-social activity it can create. Cuckooing often forms part of wider ‘county lines’ activity and is also a form of criminal exploitation.

3.16 Hate Crime

A hate crime is any criminal offence that is motivated by hostility or prejudice based upon the victim's:

- Disability;
- Race;
- Religion or belief;
- Sexual orientation;
- Transgender identity.

Hate crime can take many forms including:

- Physical attacks such as physical assault, damage to property, offensive graffiti and arson;
- Threat of attack including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate and unfounded, malicious complaints;
- Verbal abuse, insults or harassment taunting, offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying.

3.17 Radicalisation

Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups. Some young people and adults at risk of harm may be vulnerable to radicalisation for the purpose of violent extremism. Concerns regarding radicalisation will be referred to the Safeguarding Team who will liaise with the Multi Agency Safeguarding Hub (MASH), Adult Safeguarding Unit and/or the [Counter Terrorist Unit](#) (CTU) for advice. If appropriate, a referral will then be made to Channel which is a multi-agency panel who will offer guidance and

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support with the aim of preventing activity which could be deemed as criminal. The [Counter Terrorism Unit \(CTU\)](#) will be advised of any emerging themes or immediate concerns/disclosures.

3.18 Bullying

The College has a separate policy and procedure for bullying and harassment. Bullying someone because of their age, race, gender, sexual orientation, disability and/or transgender will not be tolerated, as the College operates a zero-tolerance approach. Bullying of this nature is also against the law. Bullying can take many forms and includes:

- **Emotional:** Being excluded, tormented (e.g. hiding things, threatening gestures).
- **Physical:** Pushing, kicking, punching or any use of aggression and intimidation.
- **Racial:** Racial taunts, use of racial symbols, graffiti, gestures.
- **Sexual:** Unwanted physical contact, sexually abusive comments including homophobic comments and graffiti.
- **Verbal:** Name calling, spreading rumours, teasing.
- **Cyber:** All areas on internet, such as email and internet, chat room misuse. Mobile threats by text message and calls. Misuse of associated technology i.e. camera and video facilities.

3.19 Students with Special Educational Needs (SEND)

Students with special educational needs and disabilities can face additional safeguarding challenges. Hate crime against disabled people is said to be on the rise, including so-called "mate crime", where people pretend to befriend a vulnerable person, while secretly stealing from or abusing them. Students within this cohort can be disproportionately impacted by things like bullying without showing any signs. All staff should be vigilant to ensure that they are mindful of signs of abuse which could include changes in behaviour, mood and/or injury and should be aware that there may be communication barriers which may make it more difficult for these students to share concerns and issues. It is important for staff to be aware that assumptions can be made about possible abuse, mood and injury and that this could relate to the child's disability without further exploration.

3.20 So-Called Honour Based Abuse

So called honour-based abuse encompasses crimes which have been committed to protect or defend the honour of the family and/or the community including Female Genital Mutilation (FGM), forced marriage and practices, such as, breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms are abuse and staff should refer any concerns to the Safeguarding Team. There are a range of potential indicators that an adult at risk of harm may be at risk.

3.21 Forced Marriage

A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). The [Multi-agency guidelines: Handling cases of forced marriage](#) gives potential indicators of someone facing a forced marriage with a focus on the role of schools and colleges. The Forced Marriage Unit has also published [The Right to Choose: Multi-agency statutory guidance for dealing with forced marriage](#) guidance.

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College staff can contact the [Forced Marriage Unit](#) if they need advice or information: Contact: 020 7008 0151 or email fmufco.gov.uk.

3.22 **Online Safety:** The use of technology has become a significant component of many safeguarding issues. Exploitation, radicalisation; sexual predication: technology often provides the platform that facilitates harm. The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

- Content – being exposed to illegal, inappropriate or harmful material, such as, pornography, fake news, racist or radical and extremist views
- Contact - being subjected to harmful online interaction with other users; for example, commercial advertising as well as adults posing as children or young adults
- Conduct – personal online behaviour that increases the likelihood of, or causes, harm, such as, making, sending and receiving explicit images, or online bullying
- The College will do all that they reasonably can to limit exposure to the risks detailed above from the College’s IT system. The College has appropriate filters and monitoring systems in place and there is a whole approach to online safety. This includes clear guidance on the use of mobile technology and particularly whilst more students are accessing their learning via a virtual platform on a more regular basis.

4. Designated Staff with Responsibility for Protection from Abuse

4.1 Allegations against People in Positions of Trust

The Care Act 2014 introduced a single new statute to replace most existing adult social care law. The guidance formalised expectations on local safeguarding adults boards to establish and agree a framework and process for how allegations against people working with adults with support needs should be notified and responded to. This means that Walsall College is required to have clear procedures in place setting out the process for managing allegations, including timescales, for investigation and what support and advice is available to individuals against whom allegations have been made.

The Walsall Safeguarding Adults board has established a [framework and process](#) called [Adult Safeguarding: Multi-agency policy and procedures for the protection of adults with care and support needs in the West Midlands](#). This has been developed jointly by the fourteen West Midlands local authorities and their Safeguarding Adults Boards, working together to introduce a consistent approach and practice within the adult safeguarding environment. The fourteen West Midlands local authorities have also developed a policy called [West Midlands Adult Position of Trust framework: A framework and process for responding to allegations and concerns against people working with adults with care and support needs](#).

Whilst the focus of safeguarding adults work is to safeguard one or more identified adults with care and support needs, there are occasions when incidents are reported that do not involve an adult at risk, but indicate, nevertheless, that a risk may be posed to adults at risk by a person in a position of trust. The framework mentioned above applies to concerns and allegations about:

- A **person who works with adults with care and support needs in a position of trust**, whether an employee, volunteer or student (paid or unpaid); and,
- **Where** those concerns or allegations indicate **the person** in a position of trust **poses a risk of harm to adults with care and support needs**.

These concerns or allegations could include, for example, that the person in a position of trust has:

- behaved in a way that has harmed, or may have harmed an adult or child;
- possibly committed a criminal offence against, or related to, an adult or child;

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- behaved towards an adult or child in a way that indicates they may pose a risk of harm to adults with care and support needs.

When a person's conduct towards an adult may impact on their suitability to work with or continue to work with children, this must be referred to the Local Authority's Designated Officer (LADO).

Designated staff will have on-going communications with the LADO as part of their safeguarding responsibilities to ensure that College policies and procedures are effective and meet the requirements of current legislation. Any allegations relating only to adults at risk of harm will be referred to the Adult Safeguarding Lead, Walsall Council. Members of College staff are people who are in positions of trust (PoT) and therefore any behaviour which may call that position into question will be communicated to the College and acted on.

4.2 Senior Staff Member with Lead Responsibility

The designated senior member of staff with lead responsibility for safeguarding is the Head of Student Services and Designated Safeguarding Lead based at Wisemore Campus, Littleton Street West, Walsall. The Head of Student Services is a member of the College Senior Management Team and has a key duty to take lead responsibility for ensuring that staff are aware of issues relating to the welfare of adults at risk of harm. This includes the promotion of a safe environment for adults at risk of harm who are learning within the College or in the workplace. They will have undertaken up to date training in safeguarding as required by the [Walsall Safeguarding Children Board \(WSCB\)](#), [Walsall Safeguarding Adult Board \(WSAB\)](#) and will receive refresher training at least every two years. They will remain up to date with developments in adult safeguarding.

The designated senior member of staff is responsible for ensuring that:

- Cases of suspected abuse or allegations are appropriately referred to relevant agencies
- Advice and support to staff on issues relating to safeguarding is provided
- A record of any safeguarding referral, complaint or concern is kept, (even where that concern does not lead to a referral)
- Parents/carers/employers of children, young people or adults at risk of harm within the College have access to the College Safeguarding Policies
- Liaison takes place with employers and training organisations that receive children, young people or adults at risk of harm from the College on long term placements to ensure that appropriate safeguards are put in place
- Staff receive basic training in safeguarding issues and are aware of the College safeguarding procedures including preventing people from being drawn into terrorism
- Safer recruitment practices are in place
- College works with appropriate partners to safeguard adults at risk of harm

The designated senior member of staff will ensure an annual report is provided to the Governing Body of the College setting out how the College has discharged its duties. They are responsible for ensuring deficiencies in procedure or policy identified by the WSCB, WSAB (or others) are reported to the Governing Body at the earliest opportunity.

4.3 Designated Staff Members

Designated members of staff with responsibility for child and adult protection concerns are:

Business Support	
Andrea Packer	Head of Student Services Designated Safeguarding Lead Single Point of Contact (SPOC)
Kit Rennie	Deputy Safeguarding Lead Welfare and Safeguarding Officer

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Selina Harra	Deputy Safeguarding Lead Welfare and Safeguarding Officer
Melanie Jones	Counsellor/Safeguarding Officer
Lyndsey Shuker	Counsellor/Safeguarding Officer
Claire Dunn	HR Specialist Safeguarding Officer Allegations against staff only

These designated staff members collectively:

- Report to the senior member of staff with lead responsibility as appropriate;
- Make appropriate referrals;
- Liaise with other agencies in our partnership around children and adults at risk of harm;
- Provide advice and support to other staff on issues relating to protection from abuse;
- Have particular responsibility to be available to listen to children, young people and adults at risk of harm studying at the College or in the workplace;
- Deal with individual cases, including attending case conferences and review meetings as appropriate;
- Undergo appropriate training and receive refresher training at least every two years.

Professional curiosity is not simply about asking the question. It is about the language used, creating a trusting relationship, a safe space in which to disclose and giving time to children and young people so they do not feel pressured.

Not all members of the team will deal with referrals. They are there in an advisory capacity and to ensure communication flow to all areas of the College.

4.4 Designated Governor

Governors are briefed by the Designated Safeguarding Lead regarding yearly updates to policy, procedure and activity to maintain high standards in relation to safeguarding.

The Chair of the Corporation, as part of their duties will take lead responsibility for overseeing any allegations made against the Principal and other Governors in relation to safeguarding matters. Where an allegation is made against the Chair of Governors, the Vice Chair will then take the lead. The Chair is responsible for overseeing the liaison between the Adult Safeguarding Lead, Walsall Council, Social Services and/or the Police, in connection with such allegations. This will not involve undertaking any form of investigation, but will ensure good communication between the parties and provision of information to assist enquiries.

The lead Governor for Safeguarding will have regular updates on safeguarding matters via the Principal's termly report to Corporation.

4.5 Data Protection and Information Sharing

Information sharing is vital in identifying and tackling all forms of abuse. It is important that we recognise the importance of information sharing between professionals and local agencies. Practitioners must have due regard to the relevant data protection principles which allow them to share personal information, as provided for in the [Data Protection Act 2018](#) and the [General Data Protection Regulation \(GDPR\)](#).

We have a duty to process personal information fairly and lawfully and to keep information held safe and secure. However, this is not a barrier to sharing information where failure to do so would result in a child being placed at risk of harm. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and protect the safety of students.

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5. Procedure

5.1 How to Deal with Suspicions/Concerns of Abuse or Neglect

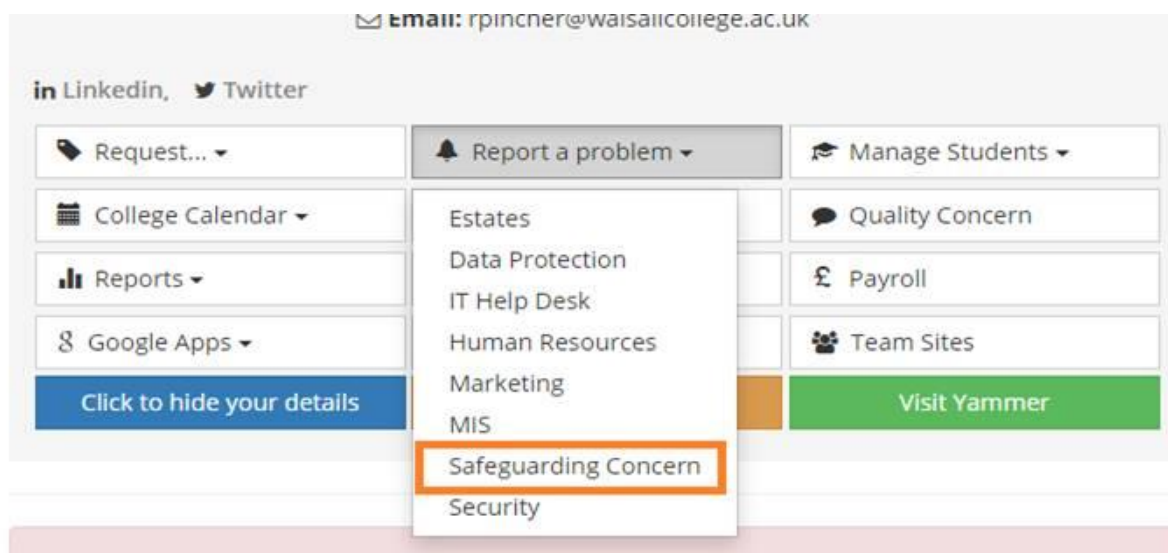
Key things to remember if an adult at risk of harm tells you about possible abuse:

- Never promise confidentiality – you will have to break it, and with it the persons trust in you;
- Listen carefully and stay calm – you need to listen without making assumptions or judgements;
- Question normally and without pressure and only to be sure that you understand what you have heard;
- Do not ask leading questions or act as an investigator;
- Reassure them that by telling you, they have done the right thing;
- Inform them that you must pass the information on, but that only those that need to know about it will be told. Inform them of to whom you will report the matter;
- Find out what the adult at risk of harm would like to happen, but make them aware that you may have to act against their wishes (e.g. they may ask you not to disclose to anyone else);
- Note the main points carefully;
- Do not investigate concerns or allegations yourself, but report them immediately to a member of the Safeguarding Team using the Safeguarding Referral Pathway;
- Adult students have the right to make their own choices where they are capable of doing so.

5.2 Procedure for making a safeguarding referral

All staff in the College are advise to maintain an attitude of “it could happen here” where safeguarding is concerned. They are encouraged to remember that professional curiosity is not simply about asking the question, but about the language they use to create a trusting relationships and safe space in which to disclose.

When a member of staff is concerned about the welfare of an adult they should act on their concerns immediately and follow the college’s process for making a safeguarding referral using the safeguarding referral pathway. This referral pathway is accessed from the staff homepage.



- open the homepage; (details below);
- select report a problem;
- select safeguarding concern;
- complete the safeguarding referral concern form that will open.

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Members of staff are then directed to a referral form asking for the following information:

- student name;
- student ID reference number;
- Curriculum/course the student is studying on;
- 3 safeguarding questions -
- What are you specifically concerned about?
- What are the specific risks for this student (for example if the student is not supported what could happen)
- What interventions and support are currently in place for the student, prior to referring to safeguarding?

Once the information has been entered the form is submitted to the safeguarding email inbox and a safeguarding officer will action the referral. Options will include managing any support via the college's pastoral support process, or making a referral to statutory services, as the adult may be at risk and require immediate support.

Outside of college hours please refer to the Duty Manager Handbook but also look at the [website](#) which can direct you to the details of any local authority outside of Walsall.

5.2.1 Safeguarding Apprentices

- Workplace providers will receive a copy of Walsall College Adults at Risk of Harm Safeguarding Policy and information relating to their responsibility for safeguarding;
- Placement Officers/Assessors will carry out all risk assessments and include safeguarding discussion as part of workplace reviews with students;
- Apprentices will receive information relating to safe practice in the workplace and safeguarding contact details;
- Staff will advise the student that action may have to be taken as a result of the disclosure. It is not the responsibility of members of staff to investigate suspected abuse;
- A written record of the discussion will be made where possible;
- Referral to a member of the Safeguarding Team will be made immediately and in person where possible;
- Student's wishes regarding action to be taken will be noted where possible, however, the student will be made aware that this will not affect the final decision to make a referral;
- There is no need to involve other members of staff (including line managers) as this reduces confidentiality;
- Make student aware of services within the College which may be able to help them address the situation and offer support and provide information or local or national telephone helpline and counselling support;
- Where possible the Safeguarding Officer will consult the student regarding the report and their wishes and inform them of action which has or will be taken. However, depending upon the circumstance, this may not always be possible;
- Where action is decided upon which necessitates contacting the local authority Adult Safeguarding team, College procedures for referral will be followed within 24 hours of Safeguarding Team receiving the referral;
- Confidential records will be kept of all discussions relating to protection from abuse matters and will be stored electronically in a confidential manner;
- The Designated Safeguarding Lead will be informed immediately of any referrals received/made;
- Organisations seeking subcontracted work have to submit their policies and procedures as part of the PQQ process.

5.2.2 Safeguarding Adults at risk of harm

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- Members of staff hearing allegations will advise the student that action may have to be taken as a result of the disclosure. It is not the responsibility of members of staff to investigate suspected abuse;
- Do not promise confidentiality and explain what might happen as a result of disclosure;
- A written record of the disclosure will be made where possible;
- Referral to a member of the Safeguarding Team will be made immediately and in person where possible;
- Student's wishes regarding action to be taken will be noted where possible however the student will be made aware that this will not affect the final decision to make a referral;
- There is no need to involve other members of staff (including line managers) as this reduces confidentiality;
- Make student aware of services within the College which may be able to help them address the situation and offer support and provide information or local or national telephone helpline and counselling support;
- Where possible the Safeguarding Officer will consult the student regarding the report and their wishes and inform them of action which has or will be taken, however depending upon the circumstance, this may not always be possible;
- Where action is decided upon which necessitates contacting the local authority Adult Safeguarding team, College procedures for referral will be followed within 24 hours of Safeguarding Team receiving the referral;
- Confidential records will be kept of all discussions relating to protection from abuse matters and will be stored electronically in a confidential manner;
- The Designated Safeguarding Lead will be informed immediately of any referrals received/made;
- The adult has a right to make their own decisions if they are competent to do so in line with the [Mental Capacity Act 2005](#).
- If their competency is in doubt, contact a member of the Safeguarding Team for advice;
- If appropriate, further advice will be sought or a referral will be made to the local authority Adult Safeguarding team;
- A report of the disclosure and any action taken must be recorded and the Designated Safeguarding Lead informed.

5.3 Reporting and Dealing with Allegations of Abuse Against Members of Staff

The procedures apply to all staff, whether teaching, administrative, management, support, supply and volunteer. Allegations of abuse against a member of staff can be defined as when a person has:

- A **person who works with adults with care and support needs in a position of trust**, whether an employee, volunteer or student (paid or unpaid); and,
- **Where** those concerns or allegations indicate **the person** in a position of trust **poses a risk of harm to adults with care and support needs**.
- Behaved in a way that has harmed or may have harmed an adult at risk of harm;
- Possibly committed a criminal offence against or related to an adult at risk of harm;
- Behaved towards an adult at risk of harm in a way that indicates she/he is unsuitable to work with adults at risk of harm.

There may be times where an individual's actions in their personal life come under scrutiny from the community, the media or public authorities, including with regard to their own children, or children or adults in the community. Staff should be aware that their behaviour, either in or out of the workplace, could compromise their position within the work setting in relation to the protection of children, loss of trust and confidence, or bringing the employer into disrepute. Such behaviour may also result in prohibition from teaching by the "[Teaching Regulations Agency \(TRA\)](#)" a bar from engaging in regulated activity or action by another relevant regulatory body.

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5.3.1 Introduction

The College recognises that the [Care Act 2014](#) states that “Organisations should always promote the adult’s wellbeing in their safeguarding arrangements. People have complex lives and being safe is only one of the things they want for themselves. Professionals should work with the adult to establish what being safe means to them and how that can be best achieved. Professionals and other staff should not be advocating ‘safety’ measures that do not take account of individual wellbeing, as defined in Section 1 of the [Care Act 2014](#).”

Staff of education institutions have been found responsible for child abuse. Due to their frequent contact with adults at risk of harm, staff may have allegations of abuse made against them. Under the [Mental Capacity Act 2005 \(MCA\)](#) Section 44, it is an offence to harm or neglect an adult at risk of harm. The College recognises that an allegation of abuse of adults at risk of harm made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and those investigations are thorough and not subject to delay.

Hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual’s reputation, confidence and career; therefore, those dealing with such allegations within the College will do so with sensitivity and will act in a careful, measured way, and with appropriate external support.

All staff are advised that they must report worries or concerns about other members of staff to Human Resources at humanresources@walsallcollege.ac.uk.

Staff and volunteers should also feel able to raise concerns about poor or unsafe practice and potential failures in College safeguarding regime and that such concerns will be taken seriously by the senior leadership team. They can do this by contacting the Designated Safeguarding Lead, the Human Resources Team or by making a whistleblowing disclosure via the Clerk to the Corporation email abuick@walsallcollege.ac.uk.

5.3.2 Receiving an Allegation from an Adult at risk of harm about a Member of Staff

A member of staff who receives an allegation about another member of staff from a child or adult at risk of harm will follow the guidelines in the section for safeguarding procedures. This will ensure the adult needs are met. On some occasions the concern may not arise from a direct disclosure. If observations of staff behaviour give rise for concern of inappropriateness these must be shared directly with Designated Safeguarding Lead or the Head of Human Resources.

The allegation about the staff member will be reported immediately to either the Designated Safeguarding Lead / Deputy Safeguarding Lead or the Head of Human Resources. In their absence, the report will go to a member of the Executive team.

They will contact the local authority Adult Safeguarding Unit for adults at risk of harm to discuss referral and action and where the criteria have been met. The senior staff member will contact the local authority Adult Safeguarding Unit for advice and to discuss referral and any actions required. The Adult Safeguarding Unit will be contacted within 1 working day of receiving the allegation. Appropriate internal action will be taken to safeguard the adult at risk of harm.

5.3.3 Initial Assessment by the Principal (or designated person)

The Principal (or designated person) who may be a relevant senior member of staff will make an initial assessment of the allegation, consulting where appropriate with the local authority Adult Safeguarding team, Senior Staff Member with Lead Responsibility or the Designated Governor as appropriate. Where the allegation is considered to be either a potential criminal act or indicates

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that the student has suffered, is suffering or is likely to suffer significant harm, the matter will be dealt with by the local authority Adult Safeguarding Unit.

In these circumstances it is important that the Principal (or designated person) does not investigate the allegation. The initial assessment will be on the basis of the information received and is a decision whether or not the allegation warrants further investigation.

Other potential outcomes are:

- The allegation represents inappropriate behaviour or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the adult at risk of harm. The matter will be addressed through professional development and mentoring, or in some cases where appropriate, the College's Disciplinary Policy and Procedure.
- The allegation can be shown to be false because the facts alleged could not possibly be true, in which case the person concerned will be reassured and supported as appropriate.

5.3.4 Enquiries and Investigations

Adult protection enquiries by Adult Services or the Police are not to be confused with internal, disciplinary enquiries by the College. The College may be able to use the outcome of external agency enquiries as part of its own procedures. Neither the Adult Protection Agencies nor the Police have power to direct the College to act in a particular way; however, the College will always assist the agencies with their enquiries.

The College will hold in abeyance its internal enquiries while the formal Police or Adult Safeguarding services investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries will conform to the existing Staff/Governor disciplinary procedures.

If there is an investigation by an external agency, for example the Police, the Principal (or designated person) will normally be involved in, and contribute to, the inter-agency strategy discussions. The Principal (or designated person) is responsible for ensuring that the College gives every assistance with the agency's enquiries. They will ensure that appropriate confidentiality is maintained in connection with the enquiries, in the interests of the member of staff about whom the allegation is made. The Principal (or designated person) shall advise the member of staff that he/she may consult with a recognised Trade Union representative or work companion.

Following discussion with the Adult Safeguarding Lead, the Police or other investigating agency, the Principal (or designated person) shall:

- Ensure that the parents/carers of the vulnerable adult making the allegation have been informed that the allegation has been made and what the likely process will involve;
- Inform the member of staff against whom the allegation was made of the fact that the allegation was made;
- Where investigation is taking place, they will be informed of what the likely process will involve and what support may be available;

Written records of the action taken in connection with the allegation will be kept.

5.3.5 Suspension of Staff

Suspension will not be automatic; a member of staff may be suspended on full pay whilst an investigation is undertaken. In respect of staff other than the Principal, suspension can only be carried out by the Principal, or a designated member of the Executive Team or Head of Human Resources. In respect of the Principal, suspension can only be carried out by the Chair of Governors (or in his/her absence, the Vice Chair).

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Where a suspension is being considered Human Resources must be consulted. It is a neutral act, not a disciplinary sanction, and does not involve any prejudgement. Consideration will be given to alternatives - e.g. paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.

Suspension will only occur for a good reason, for example:

- Where there is a cause to suspect an adult is at risk of significant harm;
- Where the allegations warrant investigation by the Police or potentially sufficiently serious to justify dismissal on the grounds of gross misconduct;
- Where necessary for the good and efficient conduct of the investigation.

Where a member of staff is suspended they will be encouraged to seek advice and support, for example from a Trade Union.

If the Principal or Designated Person considers that suspension is necessary, the member of staff shall be informed that he/she is suspended from duty. Written confirmation of the suspension, with reasons, shall be despatched as soon as possible and ideally within five working days.

Where a member of staff is suspended, the Principal or Designated Person will address the following issues:

- Where the Principal has been suspended, the Chair or Vice Chair of Governors will need to act to address the management of the College.
- The parents/carers of the adult making the allegation will be informed of the suspension. They will be asked to treat the information as confidential. Consideration will be given to informing the child or adult making the allegation of the suspension.
- Consider whether the Marketing Department needs to liaise with the Children's or Adult Services Press Officer.

Senior staff that need to know of the reason for the suspension will be informed. Depending on the nature of the allegation, the Principal will consider and may involve the Chair of Governors whether a statement to the students of the College and/or parents/carers will be made, taking due regard of the need to avoid unwelcome publicity.

The Principal or Designated Person shall consider carefully and review the decisions as to who is informed of the suspension and investigation. The Adult Safeguarding Unit and the police as appropriate.

The suspension will remain under review in accordance with the College disciplinary procedures.

Where suspension is instigated for something that could result in dismissal for misconduct which harmed a vulnerable adult, the College will refer them to the [Disclosure and Barring Service \(DBS\)](#). Referral to DBS also applies to action taken in relation to adults at risk of harm. Advice may be taken from other agencies prior to any action being taken.

Where an individual is dismissed for misconduct which harmed an adult or place an adult at risk of harm; or resigns, retires, is made redundant or is transferred to a position which is not a child care position in such circumstances, Walsall College has a statutory duty to refer to the DBS.

If the person is subject to registration or regulation by a professional body or regulator, for example by the General Social Care Council, General Medical Council, Ofsted etc., the LADO will advise on whether a referral to that body is appropriate.

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If it is decided that a member of staff who has been suspended from work can return, the College will facilitate their return to work and consider how the member of staff's contact with the child or children who made the allegation can be best managed.

5.3.6 Formal Internal Investigation

The member of staff will be informed of:

- The allegation against him/her;
- His/her entitlement to be represented by a Trade Union representative or work companion during any investigation or subsequent formal action;
- The College's awareness of the personal impact the allegation may have and the support the College is able to offer e.g. counselling.

Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension will be lifted immediately and arrangements made for the member of staff to return to work.

The adult at risk of harm making the allegation and/or their parents/carers will be informed of the outcome of the investigation and proceedings. This will occur prior to the return to College of the member of staff (if suspended).

The Principal (or designated person) will consider what information will be made available to the general population of the College.

5.3.7 Record Keeping

Details of allegations following an investigation that are found to have been malicious or false should be removed from personnel records, unless the individual gives their consent for the retention of the information. However, for all other allegations, it is important that the information is kept on the file of the person accused.

5.3.8 Monitoring Effectiveness

Where an allegation has been made against a member of staff, the Head of Human Resources, together with the Senior Staff Member with Lead Responsibility will, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of the College's procedures and/or policies and/or which will be drawn to the attention of the [Walsall Adult Safeguarding Board](#). Consideration will also be given to the training needs of staff. Any recommendations following a review will be reported to the designated Governor.

5.4 Reporting and Dealing with Allegations Against Non-Members of Staff

5.4.1 There are a number of instances where Walsall College students come into contact with people as part of College activity, who are not formally employed by the College e.g. Governors, Volunteers, placement providers, taxi/community transport personnel, staff of partner organisations or other service providers.

In the event of allegations regarding non-College employed persons as defined above, who come into contact with adults at risk of harm on the College's behalf, the following procedure will be followed.

5.4.2 Governors

The person hearing the allegation will follow the Safeguarding Procedure for supporting the student.

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They will immediately contact the Designated Safeguarding Lead or the Head of Human Resources who will take a written record of the allegation which is signed and dated.

The Chair of Governors or the Deputy Chair if the allegation is against him/her, and the Principal and the Clerk to the Corporation will be contacted and informed of the allegation.

The Chair of Governors, with the support of the Head of Human Resources and/or Designated Safeguarding Lead, will contact the Adult Safeguarding Unit for advice.

If no action is required, the Clerk to the Corporation and the Chair of Governors will inform the person against whom the allegation has been made of the allegation and offer reassurance.

If it is decided that action is required, the Chair of Governors, and/or Head of Student Services or Head of Human Resources will contact the appropriate agency (prior to making any contact with the Governor against whom the allegation has been made) e.g. Adult Safeguarding Services or the Police, who will then begin their own processes.

If action has been required, the Clerk to the Corporation and the Chair of Governors will inform the person against whom the allegation has been made of the allegation and their suspension from duty pending external investigation. They will offer information about College processes and support.

Suspension and subsequent College action will follow the Governors' disciplinary procedure.

The Head of Human Resources or the Designated Safeguarding Lead will keep the Chair of Governors and the Principal informed of the progress and outcome of any investigation.

5.4.3 Persons not employed by the College

The responsibility to deal with any allegations against people who come into contact with our students on our behalf, but are employed by other organisations, rests with the host organisation.

Should an allegation be made, the person hearing the disclosure will follow the College procedure for supporting students. They will report immediately to the Head of Human Resources who will contact the relevant referral agent and discuss action in relation to the student.

The Head of Human Resources will contact the employing company to advise them of the allegation and action taken. They will be advised that until the case is resolved the person against whom the allegation has been made must not continue with College activity and that it should activate its own procedures for such circumstances.

The company should contact the College at the conclusion of any investigation.

Where no legal action is taken discussion will take place regarding the individual's potential resumption of College activity.

5.4.4 Volunteers

Should an allegation be made about a volunteer, the person hearing the disclosure will follow the College Safeguarding Procedure for supporting students.

The Head of Human Resources will be contacted immediately. The Head of Human Resources will contact the Adult Safeguarding Unit and discuss action.

If action is deemed to be required the Head of Human Resources will make the referral to external agents and inform the relevant Senior Management Team member.

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The Head of Human Resources will inform the volunteer of the allegation and suspend volunteering activity within the College pending investigation by the authorities.

If no action is required, the volunteer will be informed of the allegation, reminded of the College policy in relation to safeguarding, and allowed to return with supportive supervision in place.

5.4.5 Other Students

Should an allegation be made against another student the person hearing the disclosure will follow the College Safeguarding Procedure for supporting students.

The Designated Safeguarding Lead and Curriculum Delivery Manager will assess immediate risk and take any necessary decision to suspend. The Designated Safeguarding Lead will seek advice from the appropriate external agents and make the referral if required. If no action is required, the College will follow its normal procedures following suspension of a student, including the activation of the Behaviour Management and Disciplinary Policy and Procedure.

6. Glossary of Terms

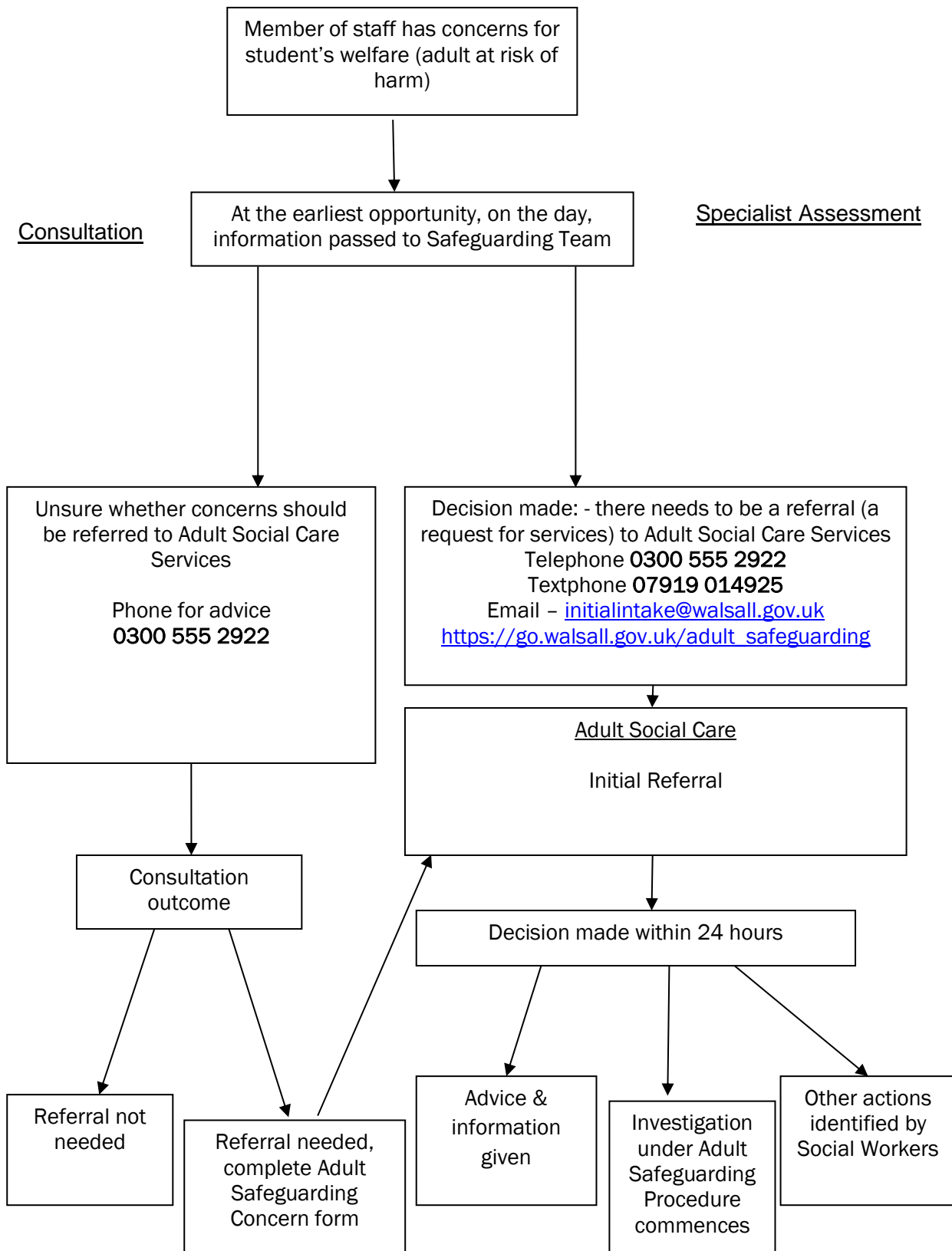
Adult at Risk of Harm: Any person aged 18 years and over who is or may in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

Section 42 Enquiry: An enquiry is any action that is taken (or instigated) by a local authority, under Section 42 of the Care Act 2014, in response to indications of abuse or neglect in relation to an adult with care and support needs who is at risk and is unable to protect themselves because of those needs.

Designated Safeguarding Lead: each partner should have a Designated Safeguarding Lead (or, for health provider organisations, named professionals) for safeguarding. Their role is to support other professionals in their agencies to recognise the needs of children, including rescue from possible abuse or neglect. Designated safeguarding roles should always be explicitly defined in job descriptions. Professionals should be given sufficient time, funding, supervision and support to fulfil their child welfare and safeguarding responsibilities effectively and undergo training to provide them with the knowledge and skills required to carry out their role. They should liaise with staff on matters of safety and safeguarding.

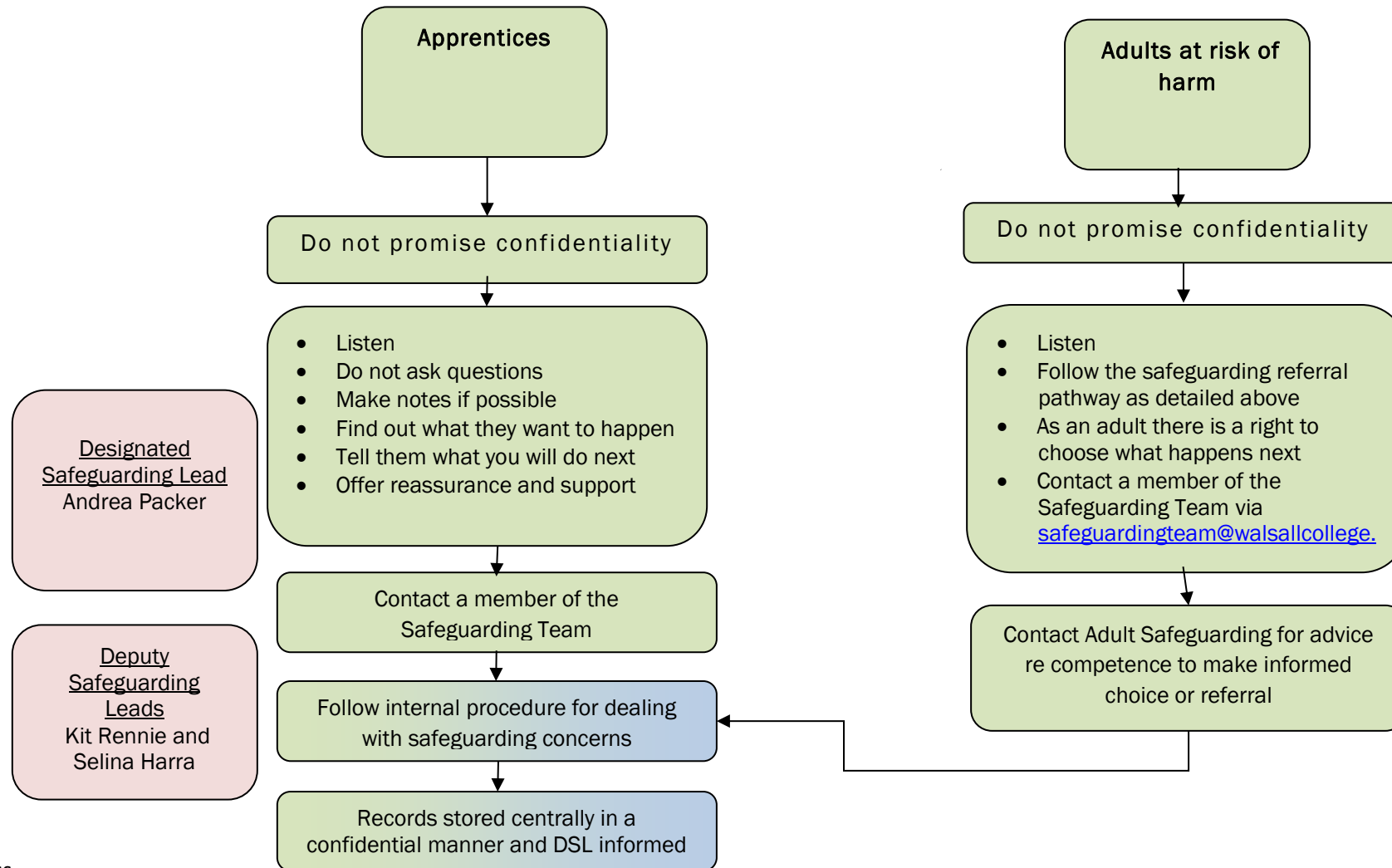
Walsall Safeguarding Adults Board: Part 1 of the Care Act 2014 established a clear legal framework for how local authorities and other statutory agencies should protect adults with care and support needs who are at risk of abuse or neglect. The duties include the requirement for the Local Authority to establish a Safeguarding Adults Board. Statutory members are the Local Authority, Clinical Commissioning Groups and the Police. The Board must arrange Safeguarding Adult Reviews and publish an annual report and strategic plan. These initiatives are designed to ensure greater multi-agency collaboration as a means of transforming adult social care.

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Adult Safeguarding referrals in Walsall


Adults at Risk of Harm Safeguarding Procedure Flowchart

'At a Glance' Guide



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