

# **John Wheatley College**

## **Safeguarding**

### **Children, Young People and Vulnerable Adults**

#### **Policy and Procedures**

##### **1. Scope of the Policy**

The College is aware of its statutory duties which arise as a consequence of the Protection of Children (Scotland) Act 2003, the Protection of Vulnerable Groups (Scotland) Act 2007 and other related legislation, regulation and guidance. This policy is designed to overtake its statutory duties in that respect and protect College staff when dealing with vulnerable groups, children and young people. The College's policy is underpinned by the following principles:

- everyone under the age of 18 is considered a child;
- a vulnerable adult is any person aged 16 or over whom, for the time being is unable to safeguard their own welfare or properly manage their financial affairs;
- the welfare of children, young people and vulnerable adults is a primary concern of the College;
- all children, young people and vulnerable adults have the right to be protected from abuse;
- all children, young people and vulnerable adults should feel safe and secure while using the College or in the care of its staff;
- all suspicions of or allegations of abuse will be taken seriously and reacted to appropriately and without delay;
- taking action to stop any inappropriate verbal or physical behaviour and emotional abuse, including bullying; and
- staff working with children, young people and vulnerable adults will have an understanding of the issues surrounding child protection and be aware of good practice in relation to working with young people and vulnerable adults.

The Policy applies in all circumstances where the College and its staff have responsibilities for both the teaching and supervision of learners.

## **2. Objectives of the Policy**

John Wheatley College will promote and safeguard the wellbeing of children, young people and vulnerable adults to ensure that they feel safe and secure and that they are free from exploitation and abuse. This will be achieved by:

- the College providing a safe, secure, welcoming and person-centred environment;
- the College promoting the rights, including privacy and dignity, of children, young people and vulnerable adults;
- staff having a clear understanding of their roles and responsibilities in protecting children, young people and vulnerable adults from harm and abuse including bullying and neglect;
- staff receiving training in recognition of harm and abuse including neglect, bullying and discrimination and will follow the College's procedures in addressing these issues;
- the College's Safeguarding Children, Young People and Vulnerable Adults Procedures and meeting Local Authority guidance on child protection;
- staff, Board Members and individuals regularly using the College being carefully and appropriately vetted by Disclosure Scotland (by means of an Enhanced Disclosure) prior to appointment and by applying these procedures routinely throughout a member of staff's career at the College;
- regular risk assessments in respect of possible child abuse being carried out;
- ensuring that all matters related to safeguarding children, young people and vulnerable adults complying with the College's confidentiality and record keeping policies; and
- referring, not investigating.

In the event that a member of the College's staff is engaged in allegations of abusive behaviour to children, young people and vulnerable adults these will be dealt with within the College's existing code of discipline.

The College will regard such behaviour as example of 'gross misconduct' which is likely to lead to dismissal.

The College will, in the event that it dismisses a member of staff for such misconduct, exercise its statutory duty to report such a situation within the terms of the Protection of Children (Scotland) Act 2003 and the Protection of Vulnerable Groups (Scotland) Act 2007.

### **3. Safeguarding Children, Young People and Vulnerable Adults: Code of Conduct**

It is important for all staff and others in contact with children, young people and vulnerable adults to:

- be aware of situations which may present risks and manage these in an appropriate manner;
- plan and organise the work and the workplace so as to minimise these risks;
- be visible, as far as is possible, when working with children;
- ensure that a culture of openness exists to enable them to raise or to discuss any issues or concerns;
- ensure that a sense of accountability exists between staff so that poor practice or potentially abusive behaviour does not go unchallenged;
- talk to children, young people and vulnerable adults and encourage them to raise any concerns; and
- empower children, young people and vulnerable adults – this will seek to enable them to discuss with staff their rights, what is acceptable and unacceptable, and what they can do if there is a potential problem.

In general it is considered to be inappropriate for a member of staff to:

- spend excessive time alone with children, young people and vulnerable adults away from others;
- take children, young people and vulnerable adults to their own home; and
- involve other external speakers/participants in classes without their presence. In all cases if external individuals are

In addition staff and other adults in the College's employment must never:

- hit or otherwise physically assault or physically abuse children, young people and vulnerable adults;
- develop physical / sexual relationships with children, young people and vulnerable adults;
- behave physically in a manner which is inappropriate or sexually provocative;
- have a child, young person or vulnerable adult with whom they are working to stay overnight at their home;
- sleep in the same room or bed as a child, young person or vulnerable adult with whom they are working;
- make sexually suggestive comments to a child, young person or vulnerable adult, even in fun;
- act in ways tended to shame, humiliate, belittle or degrade children, young people and vulnerable adults, or otherwise perpetrate any form of emotional abuse;
- discriminate against, show differential treatment towards, or favour particular children, young people and vulnerable adults to the exclusion of others;
- develop relationships with children, young people and vulnerable adults which could in any way be deemed exploitative or abusive; and
- act in ways that may be abusive or may place a child, young person or vulnerable adult at risk of abuse.

Staff and others must also avoid actions or behaviour that could be construed as poor practice or as being potentially abusive. For example, staff should never:

- use language, make suggestions, or offer advice which is inappropriate, offensive or abusive;
- do things for children, young people and vulnerable adults of a personal nature that they might reasonably be expected to do for themselves;

- allow inappropriate language or actions to go unchallenged;
- draw conclusions about others without checking the facts;
- condone, or participate in, behaviour of children, young people and vulnerable adults which is illegal, unsafe or abusive; or
- think it could never happen to them.

The College recognises the potential impact which the involvement of staff in circumstances where a child, young person or vulnerable adult may have been abused. It will offer any such member of staff support by reference to the Employee Counselling Service or other external support mechanisms (as appropriate). It should also be clear that the strict application of the Safeguarding Procedures will also protect staff from allegations of abuse.

#### **4. Safeguarding Children, Young People and Vulnerable Adults: Promoting Positive Behaviour**

John Wheatley College aims to promote positive behaviour by treating everyone connected with the organisation with dignity, respect, equality and fairness at all times by creating a safe and secure environment free from bullying, harassment and discrimination by ensuring that users are free from exploitation and abuse.

Its staff will achieve this by:

- being aware of and complying with the College's Safeguarding Children, Young People and Vulnerable Adults Policy and associated procedures;
- valuing each child, young person and vulnerable adult as an individual;
- ensuring their conduct is always an example of good practice;
- ensuring their interaction with children, young people and vulnerable adults builds confidence, encourages learning new skills and values the contributions of children, young people and vulnerable adults;
- working, where appropriate, with parents, guardians or key workers to promote positive behaviour and deal with difficult or challenging behaviour;

- encouraging the participation of children, young people and vulnerable adults in the life and work of the College;
- encouraging children, young people and vulnerable adults to take responsibility for their own behaviour;
- ensuring they do not demean, belittle or humiliate any child, young person or vulnerable adult or label any individual as “naughty”;
- establishing an appropriate code of behaviour and ensuring that this is consistently applied to all children, young people and vulnerable adults in all circumstances;
- having a safe environment that is consistent with all relevant legislation and by carrying out regular risk assessments; and
- taking due cognisance of the College's guidance on dealing with challenging behaviour.

## **5. Safeguarding Children, Young People and Vulnerable Adults: Record Keeping**

The College will maintain records that are required for the efficient and safe management of the organisation and to promote the welfare, care and learning of children, young people and vulnerable adults.

It will ensure that:

- records will be kept in accordance with the requirements of the College's Funding Body and other statutory agencies;
- parents, guardians and carers can access their own child, young person or vulnerable adult's records; and
- any such records will be confidential and will be securely stored.

Corporate Parents do not have the right of access to records related to children.

## **6. Safeguarding Children, Young People and Vulnerable Adults: Confidentiality**

The operation of John Wheatley College involves the sharing of information between users and the organisation. In order to respect

the dignity and privacy of all users, the College will actively promote confidentiality in the following way. The College will:

- provide guidelines for staff on required records and reports;
- provide guidance to staff on the handling of confidential and sensitive information;
- provide secure storage for such files and information;
- provide parental / guardian / carer access to their own child, young person or vulnerable adult's records; and
- undertake not to disclose confidential information, unless required to do so in matters of safeguarding children, young persons and vulnerable adults or life or death situations.

**Staff should not, in any circumstances, offer confidentiality to children, young persons and vulnerable adults who might be in abusive situations. They should, however, offer support to any individual who they believe may be at risk.**

It should be noted that legislation, including the Data Protection Act 1998, does not prevent the appropriate sharing of information to protect vulnerable individuals as defined in this policy.

## **7. Safeguarding Children, Young People and Vulnerable Adults: Recognition, Prevention and Reporting of Child Abuse**

John Wheatley College aims to ensure that all children, young persons and vulnerable adults learn and have fun in learning in a safe and caring environment. It is the responsibility of staff to protect children, young persons and vulnerable adults from all forms of abuse and discrimination as far as is possible.

The College aims to ensure that all staff are informed about abuse, the forms it can take, recognition and steps to take in terms of recognition and prevention.

All staff working with children, young persons and vulnerable adults at the College will be vetted by means of an Enhanced Disclosure by Disclosure Scotland and their personal references will be taken up.

It shall be the responsibility of all staff to report instances of abuse or reasonable suspicions of abuse to the attention of the College's Human Resource Section. The Human Resources Section is located in the College's Easterhouse building and the direct phone number is

01415881576. It shall further be the duty of members of the College's management teams to advise appropriate external agencies about any concerns reported to the Human Resources Section.

In the even of an issue out with normal working hours the Human Resources Section can be reached at 07711795032.

In the case of school pupils attending the College the Principal (or other member of the College's senior management team) shall advise the Executive Director (Education and Social Work Services) (or Director of Education) of the local authority in which the pupil's school is located about any such concern.

In the case of a child in the care of the local authority (who does not attend school) the College will advise the Executive Director (Education and Social Work Services) (or appropriate Director for Social Work Services) of its concerns.

In the case of children who are no longer at school, young people not at school or vulnerable adults the College will advise the Executive Director (Education and Social Work Services) about concerns about abuse.

The College anticipates that these agencies will then investigate any such concerns within their procedures.

The College will not investigate any allegations of abuse. It will pass on information to the authority indicated.

## 8. Types of Abuse

The College recognises that there are 5 main types of abuse of children, young persons and vulnerable adults. These are:

- **physical abuse** – may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating, or otherwise causing physical harm to a child, young person or vulnerable adult;
- **sexual abuse** – forcing or enticing a child, young person or vulnerable adult to participate in sexual activities (including that related to pornography), whether or not the child, young person or vulnerable adult is aware of what is happening;
- **emotional abuse** – the persistent emotional ill treatment of a child, young person or vulnerable adult such as to cause severe and persistent adverse effects on the child, young person or vulnerable adult's emotional development;

- **neglect** – the persistent failure to meet a child, young person or vulnerable adult’s basic physical and/or psychological needs, likely to result in the serious impairment of the child, young person or vulnerable adult’s health and/or development.
- **bullying** – this is abuse and is a deliberate act or acts designed to intimidate and aggravate a child, young person or vulnerable adult or to undermine self-confidence and self-esteem.

It shall be the duty of staff to respond to reasonable concerns about all such abuse.

#### **i) Physical Abuse**

Physical abuse occurs when someone inflicts injuries on a child, young person or vulnerable adult, or does not prevent such injuries when in a position to do so.

Examples of physical abuse include:

- allowing or creating a substantial risk of significant harm to a child, young person or vulnerable adult;
- physical punishment;
- use of excessive force;
- poisoning;
- suffocation;
- Munchausen’s Syndrome by Proxy, or situations where parents/guardians make up stories of illness about their child, young person or vulnerable adult or cause physical signs of illness;
- shaking; and
- confinement to a room or cot, or inappropriately given drugs to control behaviour (especially in the care of children, young people and vulnerable adults who require assistance to learn or to make progress in a College environment).

## **ii) Sexual Abuse**

Sexual abuse occurs when someone, irrespective of age or gender, use children, young persons or vulnerable adults for their own sexual gratification.

Examples of sexual abuse include:

- exposure of the sexual organs or any sex act performed in the presence of a child, young person or vulnerable adult;
- touching or molesting a child, young person or vulnerable adult for the purpose of sexual arousal or gratification;
- sexual intercourse with a child, young person or vulnerable adult;
- sexual exploitation of a child, young person or vulnerable adult; and
- non contact activities, such as involving children, young persons and vulnerable adults in looking at pornographic material or watching sexual activities, or encouraging children, young persons or vulnerable adults to behave in sexually inappropriate ways.

## **iii) Emotional Abuse**

Emotional abuse occurs when a child, young person or vulnerable adult's need for affection, approval, consistency or security are not met. It is centred on the relationship between an adult and a child, young person or vulnerable adult rather than in a specific event or pattern of events. It is rarely manifested in terms of physical symptoms. For children with disabilities it may also include over-protection or failure to acknowledge or understand a child's disability.

Examples of emotional abuse include:

- regular name calling, repeated criticism, condemnation and/or hostility;
- care being conditional on a child, young person or vulnerable adult's behaviour;
- inconsistent or unrealistic expectations of a child, young person or vulnerable adult or failure to respond to their difficulties;
- placing unrealistic responsibility on a child, young person or vulnerable adult;

- over or under protection of the child, young person or vulnerable adult;
- failure to foster the child, young person or vulnerable adult's education and development;
- unrealistic or overly harsh discipline; and
- exposure to domestic violence.

#### **iv) Neglect**

Neglect is normally defined in terms of omission, where a child, young person or vulnerable adult suffers significant harm or impairment of development by being deprived. It may also include neglect of a child, young person or vulnerable adult's basic emotional needs including intellectual stimulation and affection. Neglect generally becomes apparent over a period of time rather than in one specific incident. For example, a child, young person or vulnerable adult who suffers a series of minor injuries may not be having their needs for safety and supervision met. The threshold of significant harm is reached when the child, young person or vulnerable adult's needs are neglected to the extent that his or her well being and/or development is severely affected.

Examples of neglect include:

- inadequate clothing;
- frequent hunger;
- poor or no medical treatment;
- children, young person or vulnerable adult left without supervision; and
- lack of care or supervision during activities.

#### **v) Bullying**

Bullying is abuse and is behaviour such as teasing, taunting, threatening, hitting or extortion by one or more individuals against a victim or victims. It is a deliberate act or acts designed to aggravate and intimidate. It is the responsibility of staff to deal immediately with bullying whenever it takes place.

Many children, young people and vulnerable adults are reluctant to tell adults that they are being bullied. The risk of bullying and harassment by adults and children should be anticipated by taking active steps to

prevent it occurring. Bullying should not be tolerated under any circumstances.

Examples of bullying include:

- physical aggression;
- intimidation;
- verbal bullying;
- damage to property;
- isolation;
- repeated gestures or expressions of a threatening or intimidatory nature;
- comments intended to degrade the child, young person or vulnerable adult; and
- initiation rituals.

## **9 Recognition of Abuse**

The responsibilities of staff do not lie in identifying the abuse, but rather in reporting reasonable concerns to the College to be forwarded to appropriate bodies for further consideration and possible investigation.

### **i) Indicators of Abuse**

The following list highlights indicators of abuse which might be used by staff to recognise abuse of children, young people or adults. It is important to note that, even though a child, young person or vulnerable adult may be displaying some of these signs or behaving in a way that is causing concern, does not necessarily mean that they are being abused. Staff will be required to exercise their professional judgement in these respects:

- injuries to the child, young person or vulnerable adult that are not consistent with the normal recreational habits of children, young persons or vulnerable adults either in body position or type;
- inconsistent or unreasonable explanation of an injury by a child, young person or vulnerable adult, parent or carer;

- inconsistent or inappropriate behaviour such as sexually suggestive remarks or actions, mood swings, uncharacteristically quiet / aggressive, severe tantrums;
- failing to achieve normal development milestones where there is no good cause for this to be the case;
- becoming socially isolated;
- overeating / loss of appetite, weight loss / gain;
- children, young people or vulnerable adults being inappropriately dressed or ill kept and / or dirty;
- excuses relating to injuries;
- self-inflicting injury;
- open distrust of, or discomfort with, parent or carer;
- delayed social development, poor language and speech;
- excessively nervous behaviour such as rocking or hair twisting;
- exceptionally low self-esteem;
- flinching when approached or touched;
- recurring headaches or abdominal pain;
- reluctance to remove clothing where activities legitimately require it; and
- reluctance to go home.

**ii) Procedure for Disclosure**

The guidance issued to College staff is attached as Appendix 1.

In exercising their professional judgement about the possible abuse of children who are attending the College the undernoted general guidance will be of assistance to staff.

**Staff should:**

- be accessible and receptive;
- take concerns raised by children, young people and vulnerable adults seriously;
- exercise their judgement to recognise potential indicators of abuse;
- reassure the child, young person or vulnerable adult;
- negotiate getting help;
- find help quickly;
- make careful records; and
- believe the child, young person or vulnerable adult.

**Staff should not:**

- jump to conclusions;
- try to force the child, young person or vulnerable adult to disclose;
- speculate or accuse anyone;
- promise confidentiality; and
- investigate matters themselves.

**iii) Combating Bullying and Abuse**

Bullying and abuse can be reduced by the following measures:

- raising awareness of bullying and abuse as unacceptable forms of behaviour;
- creating an ethos which encourages children, young people, vulnerable adults, staff, parents/guardians to report bullying and abuse and to use these procedures to address these issues;
- ensuring the supervision of children, young people and vulnerable adults during all activities;
- ensuring a supportive environment for victims of bullying and abuse;

- securing the support of parents/guardians to counter bullying and abuse; and
- removing persistent bullies from activities.

IG/SV/AL  
John Wheatley College  
2 September 2008