

Safeguarding and Prevent Policy

Summary

Our policy and procedures for Safeguarding vulnerable adults, including the Prevent Duty and Corndel's commitment to providing a safe environment for all. Includes our Child Protection Plan.

Document Approval

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Safeguarding and Prevent Policy

1.0 Introduction

Corndel Limited (hereafter 'Corndel') recognises its statutory and moral duties towards safeguarding the welfare of children, young people and adults at risk from any form of abuse. The company expects all staff, volunteers and partners to endorse and practice this duty at all times, adopting a zero-tolerance approach to abuse and other harmful behaviour.

Safeguarding at Corndel is everyone's responsibility. We are committed to passing the concepts contained in this document, where appropriate, to the wider community. We have also ensured that everyone is checked through our safer recruitment procedure and this is reflected in our everyday practices.

Corndel complies with all relevant guidance and UK legislation.

1.1 How to use this document

All staff should have knowledge and commitment to Corndel's values and a broad understanding of the main policy document. Staff should be confident in the role they are expected to play in order to ensure a safe environment for all and must follow procedures set out at all times. In addition, staff should ensure they are familiar with the list of appendices so they may be referred to as needed.

1.2 Our Approach to Safeguarding

Our core principle is to welcome and treat everyone equitably and with respect. Everyone deserves to live a life free from abuse, harm and neglect and wellbeing is not only at the heart of safeguarding but is also key to a better society for everyone.

Where individuals do not fall within this policy but are in difficulty, we will refer or signpost to other services in order to provide the help they require. Further, we recognise at all times that adults, with capacity, have the right to make their own choices; therefore we have adopted the six key principles of adult safeguarding: empowerment, prevention, proportionality, protection, partnership and accountability.

Where, during the course of providing our services, we become aware of a child experiencing or at risk of harm or abuse we will follow our Child Protection Plan and commit fully to sharing information and engaging in multi-agency cooperation as required.

1.3 What is Safeguarding?

Safeguarding is simply about helping to protect adults and children, including those who are vulnerable, from abuse and neglect. It involves being alert, confident and knowledgeable. With these tools we can all make a difference. With support from individuals and communities, people can be safer. Ultimately, safeguarding is everyone's responsibility.

Safeguarding is underpinned by the principle that everyone deserves to live free from abuse and neglect. It's about protecting those who are vulnerable or in certain groups, for example those with a learning disability or those who become vulnerable because of circumstances, such as experiencing domestic violence. Safeguarding is also about supporting these principles through policies, procedures and greater actions in the community.

2.0 Purpose

Corndel is committed to safeguarding and promoting the welfare of all learners, staff, volunteers, visitors, contractors and partners. Corndel's legal duty includes the education and training of adult learners, staff, volunteers, visitors, contractors and partners at risk. Corndel has developed procedures in line with, and taking account of, guidance issued by the Department for Education, Leaders in Safeguarding and other relevant bodies. As a national provider, Corndel will safeguard individuals in line with the requirements of the relevant local authority's safeguarding arrangements.

Whilst overall responsibility for safeguarding children, young people and vulnerable adults is vested in the Chief Executive Officer with oversight by Corndel's Board; Corndel has a Safeguarding Board, named Designated Safeguarding Lead (DSL), Designated Senior Person (DSP), Prevent Lead, Deputy Safeguarding and Prevent Leads and a Chief of Staff who are responsible for ensuring compliance to this policy and its procedures. Roles, responsibilities and contact details of the Safeguarding Board members can be found in Section 5 and Appendix B.

Corndel is dedicated to creating a learning environment (including online) in which all learners – including 'adults at risk' who may be particularly vulnerable – feel valued, respected, encouraged and supported through the curriculum, support services, and regular reviews to raise any concerns they have about their own or others' safety and welfare. Safeguarding is everyone's responsibility and we are committed to creating and sustaining a culture of vigilance among our staff and learners to recognise, respond, report and record safeguarding concerns and to provide a proportionate response.

Corndel aims:

- to provide a safe environment in which to work and study
- to ensure we take appropriate action, in a timely manner, to safeguard and promote the welfare of all learners, including those who may be at risk of harm
- to ensure responsibilities and procedures are fully understood and that everyone can recognise signs and indicators of abuse or neglect and respond to them appropriately
- to ensure that Corndel's practices adhere to all relevant guidance and that all statutory requirements are in place
- to share information appropriately and without delay if we become aware of a vulnerable adult or child at risk of harm; including playing our full part in Early Help and/or multiagency support arrangements

3.0 Scope

This policy applies to all learners, particularly those adults who may need support, and all staff, subcontractors, volunteers and partners visiting or working on behalf of Corndel Ltd, other external facilities, in the workplace, or involved in distance learning/online.

Any reference in the policy to an adult at risk applies to anyone aged 18 years or over, who may for a variety of reasons need community services and/or unable to protect him or herself from significant harm or exploitation, or who may be considered vulnerable under wider definitions of vulnerability.

In order to help ensure that everyone is protected from abuse, all complaints, allegations or suspicions will be taken seriously and in accordance with this policy.

A DBS check will be sought for everyone who we employ to work with adults, or who might encounter learners in our care, or adults at risk with whom we come into contact through our organisation.

Corndel does not allow children (those under 18 years of age) to enrol but is fully prepared to perform its wider duties to keep children safe. Corndel commits to engage in multiagency responses to safeguarding concerns and/or Early Help arrangements as required and will work to the core principles outlined in Keeping Children Safe in Education (DfE 2020). See Appendix D: Child Protection Statement and Plan.

3.1 The legal framework for the role of Corndel in Safeguarding

The legal framework for the role of Corndel:

- The Equality Act 2010
- Care Act 2014 and Statutory Guidance issued under the Act
- The Human Rights Act 1998
- Mental Capacity Act 2005
- The Education Act 2002 - Sections 157 & 175
- Safeguarding Vulnerable Groups Act 2006
- The Public Interest Disclosure Act 1998 (PIDA)
- Protection of Freedoms Act (2012)

Further guidance to be considered:

- ESFA Apprenticeship Agreement for Training Providers (Spring 2020, Version 1.0)
- The Education Inspection Framework (2019)
- Inspecting safeguarding in early years, education and skills settings (2019)
- Further education and skills inspection handbook

Further guidance for safeguarding children*:

- Keeping Children Safe in Education (2020)
- Working together to Safeguard children (2020)

* referred to alongside other useful guidance in developing Corndel's Child Protection Plan.

See Appendix H: Legal frameworks and guidance for full details.

4.0 Key Principles

The Care Act 2014 sets out six key principles of adult safeguarding: empowerment, prevention, proportionality, protection, partnership and accountability.

Corndel recognises each and all of these principles in all work that we do and believes that safeguarding should always be about the individual. It must be person led, focused on real outcomes and should always endeavour to empower people to make their own choices.

4.1 The Care and Support Statutory Guidance (2016) broadly describes the real life meaning of these six principles as follows:

Principle	How the principle may sound in practice
Empowerment – People being supported and encouraged to make their own decisions and with informed consent.	“I am asked what I want the outcomes to be from the safeguarding process and these directly inform what happens.”
Prevention – It is better to take action before harm occurs.	“I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.”
Proportionality – The least intrusive response should be identified and must be appropriate to the risk presented.	“I am sure that the professionals will work in my interest and they will only get involved as much as needed.”
Protection – Support and representation for those in greatest need.	“I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want.”
Partnership – Communities have a part to play in preventing, detecting and reporting neglect and abuse.	“I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.”
Accountability – Being accountable and transparent about the safeguarding practices that are used to support people.	“I understand the role of everyone involved in my life and so do they.”

4.2 The Mental Capacity Act 2005

One of the most challenging aspects of adult safeguarding is balancing these principles; e.g. where someone may be at risk of harm but does not wish for Corndel's staff to take action or share information. In assessing Corndel's response to concerns the following principles from the Act should be followed:

- assume a person has the capacity to make a decision themselves, unless it's proved otherwise
- wherever possible, help people to make their own decisions
- don't treat a person as lacking the capacity to make a decision just because they make an unwise decision
- if you make a decision for someone who doesn't have capacity, it must be in their best interests
- treatment and care provided to someone who lacks capacity should be the least restrictive of their basic rights and freedoms

5.0 Duties

The CEO, members of the Safeguarding Board, members of the Excellence Committee and all staff will receive training to familiarise them with safeguarding issues and the policy and procedures, with refresher training at least every two years. A copy of training records will be maintained and available for review by the DSL and made available if appropriate for inspection and audit purposes.

5.1 The Board

Corndel's Board must ensure policies and procedures are in place which cover:

- Adult safeguarding
- Child protection and safeguarding
- Behaviour Policy
- IT usage/acceptable use of IT/e-safety
- Safer Recruitment Policy
- Whistleblowing Policy

5.2 The Excellence Committee

The Excellence Committee will be constituted by senior managers and will meet quarterly to scrutinise the effectiveness of safeguarding arrangements in order to provide assurance to the CEO and the Board that safeguarding is robust and effective.

5.3 The role of the Safeguarding Board

The Safeguarding Board is committed to ensuring that Corndel:

- raises awareness of issues relating to safeguarding and promotes the welfare of all
- provides a safe environment for all learners, including adults at risk
- identifies those who are suffering or at risk of suffering significant harm and takes appropriate action to ensure they are kept safe
- has procedures for reporting and dealing with allegations of abuse against members of staff and volunteers

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- gives learners access to the tools to keep them safe online and that an e-safety policy is in place and up-to-date
 - has safer recruitment procedures in place for all employees
 - confirms that any staff recruited to work for Corndel as part of a partnership organisation are covered by a safer recruitment policy for that organisation
 - designates members of staff with sufficient authority to take a lead role for safeguarding
 - remedies any weaknesses and areas for improvement relating to safeguarding that are brought to their attention
 - provides staff members with appropriate child protection, safeguarding and Prevent training which is regularly updated as part of our training plan and centralised records are kept

5.4 The Designated Safeguarding Lead (DSL)

The Designated Safeguarding Lead is the designated member of staff with lead responsibility for safeguarding issues. They have the appropriate training and experience to fulfil the role and will maintain their knowledge on safeguarding issues.

The Designated Safeguarding Lead (DSL) is responsible for:

- ensuring that all staff and learners are aware of the Safeguarding Policy and procedures
- ensuring that all staff receive training about safeguarding and Prevent matters and procedures
- giving advice and support to staff on matters relating to safeguarding
- overseeing the referral of cases of suspected abuse or allegations
- dealing with individual cases, including attending case conferences and review meetings as appropriate
- maintaining a proper record of any safeguarding referral, complaint or concern received
- liaising with other agencies as necessary
- storing all information and recording in a secure manner and in accordance with Data Protection Act 2018 (GDPR) and Corndel's Data Protection Policy
- ensuring there is liaison with employers and training organisations providing learners with placements to ensure proper safeguarding arrangements are in place
- ensuring contractors are following all procedures and ensuring appropriate safeguarding arrangements are in place
- providing quarterly reports to the Excellence Committee
- reporting any breaches in procedure to the Excellence Committee as soon as possible
- engage in updated safeguarding training at least every 2 years

In the absence of the DSL, the deputy DSL will carry out the same responsibilities. In the absence of both of these, the Designated Senior Person will carry out their responsibilities.

5.5 The Designated Senior Person (DSP)

The Designated Senior Person will support the DSL in all aspects of their work, will deputise as required and attend Safeguarding Board meetings and the Excellence Committee. The DSP will act as the Prevent Lead for Corndel, ensuring compliance with the Prevent Duty under Section 26 of the Counter-Terrorism and Security Act 2015.

5.6 The role of all Staff

Everyone in the organisation:

- must know where to find a copy of this policy
- is expected to always follow this policy
- is responsible for reading and understanding this policy
- is responsible for asking their line manager for clarification of any part of the policy they do not understand
- must use this policy to help them identify and respond to abuse or risk of abuse
- must take active steps to ensure we are providing a safe environment
- must set an example in everything they do
- must be alert to any potential harm or inappropriate behaviour by people who are vulnerable
- must ensure they follow our Data Protection Policy when recording information about those at risk
- must respect individuals' rights to privacy
- must never make inappropriate friendships or arrange to meet vulnerable people in circumstances unconnected to their work
- must keep a note of any situations that make them feel uncomfortable and share in the first instance with their line manager as part of their monthly one-to-one meeting or raise with the Chief of Staff

Managers are responsible for making sure staff in their teams understand this policy and have the knowledge, skills and confidence to follow it, checking with the Designated Safeguarding Lead where required.

5.7 Visitors:

- will be given access to this policy or an information booklet which replicates the key parts of this policy
- will be asked to:
 - take responsibility for reading and understanding this policy
 - seek clarification from a member of staff if they do not understand something in this policy
 - report any safeguarding concerns they identify or notice during a visit to a member of staff immediately

The member of staff that they are visiting is responsible for ensuring visitors are aware of these expectations.

6.0 Definitions and Concepts

6.1 Child

Within the context of this policy a “child” is defined as anyone under the age of 18 (the Children Act 1989, Education Act 2002). See Appendix X: The Child Protection Plan.

6.2 Adults at Risk

Who do we consider to be a vulnerable adult/an adult in need/an adult at risk?

We often consider those who are the subject of safeguarding concerns as being “vulnerable”. Vulnerability is a term which inevitably means something different to everyone. The Care Act 2014 defines individuals who are potential subjects of safeguarding procedures as someone who:

- has needs for care and support, whether the local authority is meeting any of those needs, and;
- is experiencing, or at risk of, abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse or neglect

Whilst anyone could be an adult in need for the purposes of the Care Act, certain groups might generally be considered as vulnerable or in need:

- Older people
- People with learning disabilities/difficulties
- People with mental health issues
- People who are homeless
- People who have issues with substance misuse
- People who experience domestic violence

CornDel’s staff and Board must always be alert to safeguarding these groups, but will always try to help everyone in need, whether they fall within these definitions or not.

6.3 Types of Abuse

There are many different types of behaviour which constitute abuse and/or neglect. Whilst every individual and each circumstance will be different, CornDel recognises the following types of behaviour as those generally considered as abuse and neglect. The list below is not exhaustive and should staff see another issue which is of potential concern, they will raise it through the procedures in place and those set out in Appendix A.

The Care Act Guidance sets out the following as behaviours recognised as abuse and neglect:

- Physical abuse.
- Domestic abuse.
- Sexual abuse.
- Psychological abuse.
- Financial or material abuse.
- Modern slavery.

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- Discriminatory abuse.
 - Organisational abuse.
 - Neglect and acts of omission.
 - Self-neglect.

See **Appendix G: What we understand about abuse and neglect** for further details on each type of abuse, as well as further recognised types of abuse including sexual and criminal exploitation, organised crime and cuckooing.

6.4 Locations of abuse

Abuse can take place anywhere, including in:

- the person's own home, whether living alone, with relatives or others
- day or residential centres
- supported housing
- work settings
- educational establishments
- care homes
- clinics
- hospitals
- prisons
- other places in the community

6.5 Who might commit abuse?

Abuse can occur in any relationship and may result in harm to, or exploitation of, the adult with care and support needs. A wide range of people may harm adults. These include:

- a spouse/partner
- other family members
- neighbours or other residents
- friends
- paid staff or professionals
- volunteers and strangers
- another adult with care and support needs
- people who deliberately exploit adults they perceive as vulnerable to abuse

Abuse and neglect may not always be malicious or intended as abuse or neglect, e.g., a carer may not be able to properly care for an adult in need for whatever reason; however, although it may not be malicious, it still requires a safeguarding referral.

6.6 Mental Health and Safeguarding

Staff will be made aware through training, resources and access to the Safeguarding Board that some learners may pose a risk to themselves. In these cases, identical procedures will be followed to ensure the learner's safety is the priority, working within the principles outlined in Section 4.

7.0 Information Sharing

When sharing information, Corndel always acts within all legislative, common law and other related provisions concerning information processing and sharing including, but not limited to, the Data Protection Act 2018 and General Data Protection Regulations. Staff, and the Board must understand and act within, the rules set out in our Data Protection Policy. We also use the Caldicott Principles as a guide to good practice when determining the sharing of information in connection with safeguarding concerns. These principles, adapted for education, are as follows:

Principle	How the principle may look in practice
Justify the purpose(s) for using confidential information	Every proposed use or transfer of personal confidential data within or from Corndel should be clearly defined, scrutinised and documented.
Personal confidential data items should not be included unless it is essential for the specified purpose(s) .	The need for learners to be identified should be considered at each stage of satisfying the purpose(s).
Use the minimum necessary personal confidential data.	Where use of personal confidential data is considered to be essential, the inclusion of each individual item of data is considered and justified. This is so that the minimum amount of personal confidential data is transferred or accessible as is necessary for a given function to be carried out.
Access to personal confidential data should be on a strict need-to-know basis.	Only those individuals who need access to personal confidential data should have access to it, and they should only have access to the data items that they need to see.
Everyone with access to personal confidential data should be aware of their responsibilities .	Those handling personal confidential data are made fully aware of their responsibilities and obligations to respect learner confidentiality.
Comply with the law. Every use of personal confidential data must be lawful.	Corndel has a Data Protection Officer who handles personal confidential data and is responsible for ensuring that the organisation complies with legal requirements.
The duty to share information.	The duty to share information can be as important as the duty to protect learner confidentiality.

Corndel recognises that safeguarding vulnerable adults raises significant issues in relation to information sharing, especially when trying to balance an adult's right to free choice, including the choice about sharing of information, with the responsibility to keep people safe. Adults who have capacity are free to make certain choices which objectively could be considered as abuse or neglect, and they may object to further sharing of information; however, it is also recognised that there might be circumstances where, despite the choices made by the adult, information can be shared in the context of safeguarding.

If an issue arises where there is a serious conflict between safeguarding an adult and that adult's rights to consent, either to the behaviour or the sharing of information, then Corndel will seek advice from the relevant agency. This may be done anonymously in the first instance.

Agencies can be asked to deal with the matter in confidence. The police and local authority adult safeguarding team are trained to deal with such disclosures in line with all relevant statutory and common law rules.

Corndel recognises that, where:

- there is a real risk of serious harm
- there is a risk of harm to the wellbeing and safety of the adult or others
- other adults or children could be at risk from the person causing harm
- it is necessary to prevent crime or if a crime may have been committed
- the person lacks capacity to consent

the safety of the adult must be paramount, and a report should be made either in an emergency via 999/101 or to the relevant multi agency safeguarding hub (MASH).

In such circumstances where adults disclose that they are being abused or neglected, but do not want it to be reported, staff members should tell the person that they must raise the concern in confidence with the Designated Safeguarding Lead soon as possible.

7.2 Reporting a concern

Where a staff member or visitor reports a concern, Corndel's reporting procedure must be followed. In the first instance, you must record your concern or the allegation that has been made, and then ensure that this is passed to the Designated Safeguarding Lead, your line manager or the member of staff responsible for your visit. Further information on how to respond to an allegation can be found in Appendix A. Any records should be made and retained in accordance with our record keeping policies.

Staff must assure the adult concerned that they will be informed of any action which is taken and the reasons why it was taken.

7.3 Requests for information to be produced in order to assist an investigation

Statutory agencies, such as the Police or Local Authority, recognise that adults have a general right to independence, choice and self-determination, including control over information about themselves; however, they are clear that, in the context of adult safeguarding and when investigating crime, these rights can be overridden. In certain circumstances, such as in emergency or life-threatening situations, it may be warranted to share relevant information without consent.

The Care Act 2014, particularly section 45 - the 'supply of information' - covers the responsibilities of others to comply with any requests for information from the Safeguarding Adults Board for the purposes of progressing an enquiry.

Corndel recognises our responsibilities for information sharing and will always seek to comply with such requests, where properly requested, in order to:

- prevent death or serious harm
- coordinate effective and efficient responses
- enable early interventions to prevent the escalation of risk
- prevent abuse and harm that may increase the need for care and support
- maintain and improve good practice in adult safeguarding
- reveal patterns of abuse that were previously undetected and that could identify others at risk of abuse
- identify low-level concerns that may reveal people at risk of abuse
- help people to access the right kind of support to reduce risk and promote wellbeing
- help identify people who may pose a risk to others
- where possible, work to reduce offending behaviour
- reduce organisational risk and protect reputation

If there is any concern about sharing information, we will seek advice.

The management interests of the organisation should not override the need to share information to safeguard adults at risk of abuse. All staff and Board members should understand the importance of sharing safeguarding information and the potential risks of not sharing it. All staff and Board members must inform the Designated Safeguarding Lead who will ensure compliance with this policy when dealing with requests to produce information.

7.4 Record Keeping and Information Storage

Good record keeping is an essential part of the accountability of our organisation to those who use our services. Maintaining proper records is vital to an individual's safety. If records are inaccurate, decisions may be taken based on inaccurate information and harm may be caused to the individual.

Where an allegation of abuse is made, all organisations have a responsibility to keep clear and accurate records. It is fundamental to ensure that evidence is protected, and records show what action has been taken, what decisions have been made, and why.

All personal information regarding a vulnerable adult, including that which identifies them, will be retained in line with Corndel’s Data Protection Policy and Record Management Policy. All written records will be kept in a secure area and system which is access controlled. All records will be destroyed in line with our records management policy with access available only for those who need to know. For full information about data protection, please see our data policies and procedures.

It is equally important to record when actions have not been taken and why. For example, if an adult with care and support needs with mental capacity chooses to make decisions that professionals consider to be unwise.

Corndel will ensure that the following key questions are answered, and abided by, when determining what information to record, store and share:

- What information do staff need to know in order to provide a high-quality response to the adult concerned?
- What information do staff need to know in order to keep adults safe under our duty to protect people from harm?
- What information is not necessary to record or share?
- What is the basis for any decision to share, or not share, information with a third party?

7.5 Role of Key Agencies

The Care Act 2014 puts partnership working, wellbeing and empowerment at the heart of local authority and other statutory bodies’ duty to adults. As a result, there are Multi-Agency Hubs, an Adult Safeguarding Board and a Local Authority website where resources can be found.

The relevant authority will normally be the local authority in which the adult at risk lives.

This tool allows a local authority to be identified by postcode and provides the contact details for the council and a link to their website: <https://www.gov.uk/find-local-council>

Adult Social Care is the lead agency for safeguarding adults, and the Adult Safeguarding Team, or Multi Agency Safeguarding Hub, is the lead within the council for all safeguarding issues concerning an adult. A concern will, in the first instance, be made to this team by calling them, usually followed up with a written referral as required.

If the issue or concern is an emergency staff must contact the police on 999 or 101.

The police are a key partner in safeguarding and have a duty to protect the public and prevent crimes.

Health services are also central to safeguarding, including mental health services:

<https://111.nhs.uk/>

NHS advice: Tel: 111 (24hrs/day, 7 days/week)

Urgent help in a crisis:

<https://www.nhs.uk/service-search/mental-health/find-an-urgent-mental-health-helpline>

Find an NHS psychological therapies service (IAPT):

<https://www.nhs.uk/service-search/find-a-psychological-therapies-service/>

7.6 Raising a concern with the Adult Safeguarding Team

A concern should be raised when there is reason to believe an adult at risk may have been, is, or might be, the subject of harm, abuse or neglect by any other person or persons. This also includes anyone self-neglecting where there is a significant risk to their health or wellbeing.

In circumstances where there are serious immediate risks, a response from Adult Safeguarding services or the police will be provided the same day.

Whilst reporting a concern to the local safeguarding team, it is important that anyone who is aware of the concern also considers if the risk or experience of immediate serious harm is so severe that urgent action is required to prevent it.

What happens when a referral is made?

Urgent actions will be taken to safeguard anyone at risk of immediate harm if any of the following concerns are apparent:

- active abuse is witnessed
- an active disclosure is made by an adult or third party
- there is suspicion or fear that something is not right or there is evidence of possible abuse or neglect

Local Authorities make enquiries, or require others to do so on their behalf, if they reasonably suspect an adult meets the following criteria:

- they have needs for care and support (whether or not the Local Authority is meeting any of these needs);
- they are experiencing, or at risk of, abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

The Local Authority will assess whether they consider the individual unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

Where the referral is considered to fall into this category, the Local Authority will take steps to actively safeguard the individual. The concern will be logged on the Local Authority's database as a safeguarding concern and actions will be taken. This is often together with other agencies and partners.

Corndel may be invited to assist with the assessment or support the individual as part of the safeguarding response.

It may be that the Local Authority assesses the situation as not meeting the threshold for intervention, and so it would not fall into this category. If this is the case and the referrer disagrees with the decision, the matter may be escalated to senior managers. Should the ultimate decision of the Local Authority be that the matter is not one that requires a statutory agency response, Corndel will ensure that it takes appropriate action to help the individual.

Where this is the case, staff and Board members must ensure that any actions are agreed by our company's Designated Safeguarding Lead and recorded in accordance with the Data Protection Policy and record management systems. In this context, it is worth remembering that should an adult die, there is a likelihood that the matter will be considered by the coroner. Therefore, records must be clear, accurate and in a shareable format.

8.0 Safer Recruitment and allegations against staff

Staff within our organisation receive Enhanced DBS checks in accordance with their role and in line with the current law. Information about DBS checks is explained in our Safer Recruitment Policy.

We recognise that sometimes situations may arise where we must deal with an allegation against an individual who is an employer or board member.

Where the concern is about someone in a position of trust in our organisation, and the concern is an allegation of abuse or neglect, we will assess any potential risk to adults in need and, if necessary, take action to safeguard those adults. We will also report the concern to the Local Authority Adults Safeguarding Team/MASH.

Examples of such concerns could include allegations that relate to a person who works with adults with care and support needs who has:

- behaved in a way that has harmed, or may have harmed an adult or a child; or
- possibly committed a criminal offence against, or related to, an adult or a child; or
- behaved towards an adult or a child in a way that indicates they may pose a risk of harm to adults with care and support needs

Any allegation against people who work with adults should be reported immediately to a senior manager who will deal with the situation in line with our safeguarding procedures and all relevant employment law rules. Senior managers should seek advice, including legal and HR advice, for dealing with such concerns. We will share any outcomes with the Head of HR in the

learner's employment where the learner is based including any support recommended for the learner, if and when appropriate.

Where we remove an individual from work with adults with care and support needs because the person poses a risk of harm to the adults, we will make a referral to the Disclosure and Barring Service (DBS). It is an offence to fail to make a referral without good reason.

Corndel has clear routes for escalation where a member of staff, board or visitor feels that their safeguarding concern has not been responded to appropriately. Where applicable, the member of staff should use Corndel's whistleblowing policy.

Any staff member who becomes aware of an allegation or concern about a member of staff should immediately follow the procedures outlined in: Appendix E: Procedure for managing allegations of abuse against staff

8.1 Safer recruitment and selection procedures

Corndel has in place robust recruitment procedures which ensure that care is taken to protect young or vulnerable learners. The procedures apply to all staff and volunteers and they are reviewed regularly to take account of following principles:

- The post or role will be clearly defined.
- The key selection criteria for the post or role will be identified.
- Vacancies will be advertised widely in such a way as to ensure a diversity of applicants.
- Requirement of documentary evidence of academic and vocational qualifications.
- Obtaining of professional and character references.
- Verification of previous employment history including the explanation of any gaps

9.0 Training

As part of our induction programme or process, all staff and board members will be appropriately trained in all aspects of safeguarding. A copy of this policy together with related policies is in our staff handbook, available on our staff intranet page and explained on induction to all new members of staff.

Every staff and board member will receive more detailed training relevant to their respective roles and is expected to undertake this training. Everyone must undertake and pass a basic safeguarding training course, which must be updated at least every two years.

10.0 Management of concerns and disclosures

10.1. Dealing with disclosure of abuse and procedure for reporting concerns

A member of staff may suspect that a learner is being abused or is at risk of significant harm. A learner may disclose to a member of staff that s/he is being abused. In these circumstances the following procedure should be followed.

10.2 Significant concerns

If a member of staff has concerns about a learner but does not believe that they are being abused or are at risk of immediate harm, the member of staff should:

- Speak to the learner about the concerns
- Speak to the Designated Safeguarding Lead who will consider and advise whether Corndel should register the concern

10.3 Disclosure of abuse

If a disclosure is made or abuse is suspected, staff should:

- Listen carefully and stay calm
- Question without pressure to be sure that what is being said is properly understood by the member of staff
- Reassure the individual concerned that s/he has done the right thing
- Explain to the individual who has disclosed that the information must be passed on but only to those who need to know about it. Say who will receive the information
- Note the main points carefully - what the individual said/did, and the questions asked by the member of staff
- Make a note of the date, time and place.
- Complete a Safeguarding Incident / Concern Form

Staff must not:

- Ask leading questions or put words into the mouth of the disclosing individual
- Investigate concerns/ allegations
- Promise confidentiality

10.4. Reporting to designated staff

Staff should report concerns, suspicions or disclosures of abuse immediately to the DSL. If they are not available, the report should be made to the Deputy DSL.

10.5 Reporting to the CEO

The DSL must notify the CEO as soon as possible and always within 24 hours of a serious disclosure or suspicion being raised.

10.6 Contact with external services

The DSL or CEO (or a deputising senior manager) should report appropriate matters to children's social care/adult services or the police by phone immediately, followed up by written confirmation or an email within 48 hours. Where a request for service form or an early help assessment is completed and sent via email to children's social care, staff can expect a response via email within 48 hours.

A written record of the date and time of the report must be made, and the document should include the name and position of the person to whom the matter is reported.

The designated member of staff should note down the detail of the discussion about action to be taken including sharing of information, depending on the circumstances. The process for keeping Corndel informed of further action should also be discussed.

10.7 ESFA notification

'Where the Training Provider or a Subcontractor refers a safeguarding concern or an allegation of abuse to local authority children's social care / adult social care and / or the police, the Training Provider must, within 24 hours, inform the ESFA by contacting the Helpdesk (08000 150600 or helpdesk@manage-apprenticeships.service.gov.uk). Such notification must include the name of the Training Provider, a high-level summary of the nature of the incident (without sharing personal information about victims or alleged perpetrators) and confirmation of whether it is, or is scheduled to be, investigated by the Local Authority and / or the police.'

10.8 Confidential reporting

The Whistleblowing Policy is available to all staff employed by Corndel.

11.0 Teaching Learners about Safeguarding

Corndel will teach learners about safeguarding and Prevent, including online risks, through specific content and teaching and learning opportunities as part of providing a broad and balanced curriculum, helping to prepare and equip learners for life in modern Britain.

12.0 Dissemination

The DSL will ensure this policy is known and used appropriately:

- the policy will be reviewed every two years
- the procedures and implementation will be updated and reviewed regularly
- the policy will be available publicly and learners will be made aware of the fact that referrals about suspected abuse or neglect may be made, and the role of Corndel in this
- Links with local and national safeguarding boards and organisations will ensure staff are aware of training opportunities and the latest policies on safeguarding

13.0 Monitoring compliance with and the effectiveness of the policy

This policy has been developed by the Safeguarding Board who are responsible for creating/adapting and updating the policy and assisting the Board in ensuring all staff have read and understood the policy, and for ensuring that everyone adheres to it.

13.1 Process for monitoring compliance

Monthly: The Safeguarding Board will meet monthly to address compliance and the effectiveness of the policy and procedures

Quarterly: The Excellence Committee and senior leaders will receive a report on safeguarding incidents and activities.

Annually: The DSL and Safeguarding Board will review the Safeguarding and Prevent Policy and produce a report that will be presented to senior leaders and the CEO.

13.2 Process for monitoring compliance and effectiveness of dealing with allegations against a member of staff

At the conclusion of the investigation and any disciplinary procedures where an allegation has been made against a member of staff, the DSL and Safeguarding Board including the CEO and Chief of Staff will consider whether there are any matters arising that could lead to the improvement of the procedures and/or policies.

Consideration will always be given to the training needs of staff to minimise the risk of a repeat incident 'lessons learnt' debrief will be shared with senior managers on the Safeguarding Board to review our policy and process after the conclusion of every incident.

14. Links to other policies

This policy should be read in conjunction with the following policies and procedures:

- Critical Incident Policy
- Equality and Diversity Policy
- Recruitment Policy
- Staff Disciplinary Policy and Procedures
- Anti-bullying Policy
- Data Protection Policy
- Records Management Policy
- Whistle Blowing Policy
- E-safety Policy

15.0 The Prevent Duty

The Counter Terrorism and Security Act 2015 places a duty upon local authorities and educational providers to 'have due regard to the need to prevent people from being drawn into terrorism'.

The fundamental aims of Prevent, as part of the revised 2018 Contest Strategy are 'to safeguard vulnerable people to stop them becoming terrorists or supporting terrorism.'
(*Work Based Learners and the Prevent Statutory Duty 2018*)

The DfE has provided Statutory guidance for educational providers: ‘Revised Prevent Duty Guidance: England and Wales’ (DfE 2015). The guidance summarises the requirements of providers in terms of four general themes:

- risk assessment
- working in partnership
- staff training
- IT policies

Corndel is committed in its responsibility to protect its learners from radicalisation, terrorism and violent extremism. It promotes an ethos designed to empower its learners to be resilient to extremism and protect the wellbeing of those who may be vulnerable to being drawn into violent extremism or crime.

15.1 Extremism

The government has defined extremism in the Prevent Duty 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. This also includes calls for the death of members of the British armed forces.’

15.2 Implementation of the Duty

Corndel is committed to the effective implementation of the Prevent strategy through:

- effective and regular training to ensure:
 - staff know when and how to refer learners who may be at risk of radicalisation
 - staff are aware of the indicators of extremism and radicalisation and know how to respond in keeping with local and national guidance
 - senior leaders and Board members understand their responsibilities around Prevent
 - all staff challenge extremism with confidence and consistency
- effective delivery of Prevent information and learning to ensure learners can:
 - identify and protect against risk
 - access support
 - understand British values
- ensuring that adults at risk are safe from terrorist and extremist material when accessing the internet at Corndel

- identification and support of vulnerable learners
- appropriate sharing of information and CHANNEL referrals
- a commitment to equality, diversity and inclusion
- partnership working with local support networks and Channel members
- exemplification of British values of ‘democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs’ into Corndel’s practices
- risk assessing visiting speakers and guest lecturers

The role of the Prevent Lead:

- Maintaining an up-to-date Prevent Risk Assessment
- Keeping accurate records of all referrals and concerns
- Managing referral processes, including CHANNEL referrals
- Reporting of concerns to the Safeguarding Board
- Attendance and representation at Excellence Committee
- Ensuring appropriate policies and procedures are in place, including for risk assessing external speakers
- Ensuring processes are being followed in respect of visiting speaker risk assessments and logs
- Ensuring that all new staff are trained on Prevent, including the Corndel's policies and procedures
- Ensuring all staff have annual refresher training
- Working with the curriculum team to ensure that the promotion of British values is embedded into the curriculum

The Government has developed an 'Educate against Hate' website providing information and resources to support providers to recognise and address extremism and radicalisation in young and/or vulnerable people.

Staff should use their professional judgement and contact the Prevent Lead and/or DSL if they have any concerns. Some possible behavioural indicators could be:

- use of inappropriate language
- possession of violent extremist literature
- behavioural changes
- the expression of extremist views
- advocating violent actions and means
- association with known extremists
- seeking to recruit others to an extremist ideology

The Channel: Vulnerability assessment framework (HMG 2012) involves three dimensions: **engagement, intent** and **capability**, which are considered separately. 'It should not be assumed that the characteristics set out below necessarily indicate that a person is either committed to terrorism or may become a terrorist' but understanding these factors may assist in identifying a person who is vulnerable to radicalisation and/or a potential risk to others.'

Engagement with a Group, Cause or Ideology

Engagement factors are sometimes referred to as "psychological hooks". They include needs, susceptibilities, motivations and contextual influences and together map the individual pathway into terrorism. They can include:

- feelings of grievance and injustice
- feeling under threat
- a need for identity, meaning and belonging
- a desire for status

-
- a desire for excitement and adventure
 - a need to dominate and control others
 - susceptibility to indoctrination
 - a desire for political or moral change
 - opportunistic involvement
 - family or friends' involvement in extremism
 - being at a transitional time of life
 - being influenced or controlled by a group
 - relevant mental health issues

It should not be assumed that the characteristics set out necessarily indicate that a person is either committed to terrorism or may become a terrorist. The assessment framework involves three dimensions: engagement, intent and capability, which are considered separately.

Intent to Cause Harm

Not all those who become engaged by a group, cause or ideology go on to develop an intention to cause harm, so this dimension is considered separately. Intent factors describe the mindset that is associated with a readiness to use violence and address what the individual would do and to what end. They can include:

- over-identification with a group or ideology
- 'Them and Us' thinking
- dehumanisation of the enemy
- attitudes that justify offending
- harmful means to an end
- harmful objectives

Capability to Cause Harm

Not all those who have a wish to cause harm on behalf of a group, cause or ideology are capable of doing so, and plots to cause widespread damage take a high level of personal capability, resources and networking to be successful. What the individual is capable of is therefore a key consideration when assessing risk of harm to the public. Factors can include:

- individual knowledge, skills and competencies
- access to networks, funding or equipment
- Criminal Capability

Channel: Vulnerability assessment framework (HMG 2012)

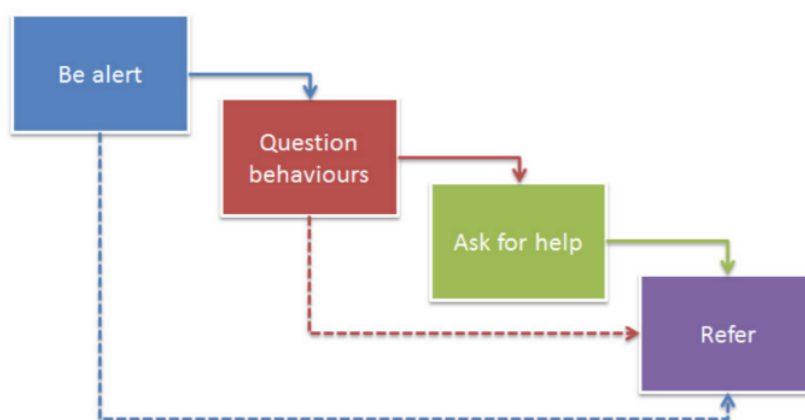
If any member of staff has any concerns about a learner beginning to support terrorism and/or violent extremism, they should discuss them with a member of the Safeguarding Board following the published safeguarding procedures so that actions to address the issues may be addressed immediately. The Prevent Lead and/or DSL will coordinate the organisation's response.

Appendix A: Summary of Reporting Procedures

General advice

- Engage your **'professional curiosity.'** If a situation doesn't feel right, it often isn't
- Practice the **'one-chance rule.'** A learner may choose to disclose something once only
- **Be prepared to listen** and give them that opportunity as they may never do this again

I have a concern. What should I do?



- Do not hold onto information. Act immediately and contact the Designated Safeguarding Lead (or deputy)
- Never assume someone else is doing something or has passed information on already
- Consider if the concern also relates to someone else, e.g., a child/family member
- When speaking to learners, do not promise or indicate confidentiality
- It is good practice to remind learners early on in any disclosure that you may need to share information if you are worried about their safety or that of someone else
- Be person-led and outcome-focused
- Be prepared to talk, within the limits of your own confidence
- Engage the person in a conversation about how best to respond to their safeguarding situation that:
 - enhances involvement, choice and control
 - improves their quality of life, wellbeing and safety

Further reading to support you: **Appendix F: Good Practice in Responding to Concerns**

Practise self-care. Be careful not to:

- provide support beyond professional boundaries
- provide support beyond your level of confidence
- make any judgments or promises

The **Designated Safeguarding Lead (DSL)** is there as a support to you as well as our learners. Where a learner (or another adult or child) is at risk, or experiencing, harm this should always be reported to the DSL who will respond with advice and guidance and act appropriately.

How do I contact the DSL?

1. If it is an emergency, contact a first aider and/or emergency services first
2. Contact the DSL by phone or Teams call
3. Complete the Safeguarding Report form and email the completed form to safeguarding@corndel.com
4. Continue to update the DSL and to safeguard the learner(s)

Completing the form

1. Make a note of the full name/s of the person you are concerned about
2. Include the dates, times, locations and full details of anyone who has provided information or may be at risk
3. Consider whether the disclosure places anyone else at risk of harm (e.g. a child) and include details where possible
4. Describe your concerns clearly. Try to keep the record factual and free from judgments.
5. Record any actions you have taken already to protect the person.

What will we do with the information?

The DSL will follow the principles outlined in this policy. Information shared will be:

- **justified** for the purposes of those taking action to support and protect
- **essential** and proportionate to the need and level of risk
- the **minimum necessary** and on a **need-to-know** basis
- **accurate and up to date**, clearly distinguishing between fact and opinion
- **shared in a timely fashion** to reduce the risk of missed opportunities to offer support and protection
- **secure**, following our policies for handling personal information
- **recorded** in line with this Policy, whether the decision is taken to share or not

Will I receive updates?

Yes. The DSL will update you with an appropriate amount of information, following the principles above. You should receive enough information to allow you to support and protect the learner concerned.

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Appendix B: The Safeguarding Board

DESIGNATED SAFEGUARDING LEAD (CHAIR)

Annemarie Schofield

07903 349106

annemarie.schofield@corndel.com

DEPUTY DESIGNATED SAFEGUARDING OFFICER

Jayne Robinson

jayne.robinson@corndel.com

DESIGNATED SENIOR PERSON (DSP) and PREVENT LEAD

Mark Rossiter

mark.rossiter@corndel.com

DEPUTY PREVENT LEAD

Lisa Hurle

lisa.hurle@corndel.com

CHIEF OF STAFF

Jane Shannon

07784 236687

jane.shannon@corndel.com

General enquiries:

safeguarding@corndel.com

Appendix C - Safeguarding Referral Form

Corndel Safeguarding Referral Form

Email the completed form to safeguarding@corndel.com

1. Your Details	
Date form completed:	
Time form completed:	
Name of person completing this form:	
How you know the adult at risk / your involvement with them:	
Your Telephone:	
Your Mobile:	
Your email:	

2. Adult at risk (or child) details:	
Name:	
Address:	
Date of Birth:	
Gender:	
Does the adult have any language or communication difficulties?	
Does the adult have any known Mental Capacity issues?	
Their telephone:	
Their mobile:	
Their email:	

3. Details of concern			
Date of alleged abuse or neglect (if known):			
Type of suspected abuse or neglect (tick all that apply)			
Physical	<input type="checkbox"/>	Modern slavery	<input type="checkbox"/>
Domestic	<input type="checkbox"/>	Discriminatory	<input type="checkbox"/>
Sexual	<input type="checkbox"/>	Neglect and acts of omission	<input type="checkbox"/>
Psychological	<input type="checkbox"/>	Self-neglect/risk to self	<input type="checkbox"/>
Financial and material	<input type="checkbox"/>	Accidents	<input type="checkbox"/>
<p>Please give details about your concerns (such as what has happened to make you concerned that the person may be being abused / neglected, who was involved, were there any witnesses, whether you have any immediate concerns about the persons safety, whether any action has already been taken to keep the person safe such as have the police been called, medical assistance requested etc. Is there anyone else who could be at risk due to your current concerns such as a child or another adult at risk/ vulnerable person?</p>			

<p>4. Please tell us if you know whether other people are involved with the adult at risk.</p> <p>This may include people such as their GP, family, neighbours, professionals, other agencies. If possible, please include Name, Job Title (if any), Address and Telephone number.</p> <p>1.</p> <p>2.</p> <p>3.</p> <p>4.</p> <p>5.</p>

Staff member (capitals)

Staff member signature

Date

Reflections and implementation of actions	
What action has been taken after the incident?	
Advise staff member to follow up with learner	Yes/No
Advise manager	Yes/No
Referral other	Yes/No
Early Help referral (e.g. CAF/ TAF)	Yes/No
Safeguarding referral	Yes/No
Accident form completed	Yes/No
Review risk assessment	Yes/No
Instigate disciplinary procedure	Yes/No

Have all actions been carried out?		
If no, reason/s why:		
Follow up actions completed:		
Date	Comments	Staff Name

Appendix D: Child Protection Statement and Plan

Child Protection Statement

Corndel does not enrol children (those under 18 years of age) but is fully prepared to perform its wider duties to keep children safe where it becomes aware of a child experiencing or at risk of abuse or harm.

Corndel commits to engage in multiagency responses to safeguarding concerns and/or Early Help arrangements as required and will have due regard to Keeping Children Safe in Education (DfE 2020) and Working Together to Safeguard Children (2018) in responding to concerns about a child.

Corndel will consider the welfare of High Needs Apprentices (aged 19 to 25) as if they were children and will give due 'regard to any guidance published, from time to time, by the Secretary of State for Education which sets out the expectations in relation to safeguarding practice including as if it applied to High Needs Apprentices aged 19 to 25 as if they were children.' (*ESFA Apprenticeship Agreement for Training Providers, Spring 2020, Version 1.0*)

Child Protection Plan

All internal reporting procedures relating to safeguarding of children are identical to those for adult safeguarding and all members of staff should follow the reporting procedures outlined in this policy where concerns involving a child become known.

Child abuse can take many forms, but it is categorised under 4 main themes:

- i) Physical abuse; ii) Sexual abuse; iii) Emotional abuse; iv) Neglect.

Where abuse or risk of harm to a child becomes known, all Corndel staff are expected to report this by following the procedures within this Policy. Staff with concerns around child abuse should read the additional guidance: [What to do if you're worried a child is being abused: Advice for Practitioners \(2015\)](#).

Staff at Corndel may become aware of a child at risk or experiencing abuse or harm in several ways. This list is not exhaustive, but some examples are:

- i. A learner is a parent, guardian or carer and poses a risk to a child through actions or neglect
- ii. A learner is experiencing or perpetrating abuse within a household where children are also exposed, e.g., domestic violence or coercive control
- iii. A learner may disclose historical abuse where the perpetrator still has access to children
- iv. A learner poses a potential risk to children because of their own vulnerability, e.g. drug or alcohol dependency, gambling addiction

Child protection: 'Part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.' (KCSiE 2020)

Safeguarding and promoting the welfare of children is defined as 'protecting children from maltreatment; preventing impairment of children's health or development; ensuring that

children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.’ (KCSiE 2020)

Responsibilities

All staff have responsibility to report their concerns about a child without delay to the Safeguarding Team. Whilst the Safeguarding Team will normally make referrals to Children’s Services, anyone can refer their concerns to children’s social care directly in emergencies or if they feel they need to do so.

Everyone has responsibility to escalate their concerns and ‘press for reconsideration’ if they believe a child’s needs remain unmet or if the child is failing to thrive and in need or if the child is at risk of harm. Concerns about a child should always lead to help for a child at some point and the child’s situation should improve.

‘All staff should be aware of the process for making referrals to children’s social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments.’ (KCSiE 2020)

Although the expectation is that staff will follow Corndel’s procedures for reporting concerns, ‘the [NSPCC’s what you can do to report abuse dedicated helpline](#) is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled.’

Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk.’ (KCSiE 2020).

Staff should read Corndel’s Whistleblowing Policy and general guidance on whistleblowing can be found via: [Advice on Whistleblowing](#).

In respect of child protection, the Designated Safeguarding Lead will:

- refer cases of suspected abuse to the local authority children’s social care as required
- support staff who make referrals to local authority children’s social care

The local authority responsible for responding to a concern about a child will normally be the one in which they live. This tool allows a local authority to be identified by postcode and provides the contact details for referral to children’s services: <https://www.gov.uk/report-child-abuse-to-local-council>

If a member of the Safeguarding Board cannot be contacted (for example out of hours) NSPCC, Childline or the local Safeguarding team in your area provide a safeguarding advice and support service:

NSPCC 24 hours 7 days per week: Telephone: 0808 800 5000, www.nspcc.org.uk

Childline 24 hours 7 days per week: Telephone: 0800 1111, www.childline.org.uk

Appendix E: Procedure for managing allegations of abuse against staff

Corndel is required to comply with the detailed local safeguarding board procedures for managing allegations against staff. These procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers.

If the allegation of abuse involves someone under the age of 18 (a child) Corndel will take advice from the relevant Local Authority Designated Officer (LADO) in applying these procedures.

Introduction

In rare instances, staff of education institutions have been found responsible for abuse. Because of their frequent contact with learners, staff may have allegations of abuse made against them. Corndel recognises that an allegation of abuse 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. It is also recognised that 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 organisation will do so with sensitivity and will act in a careful, measured way and take appropriate advice from the Safeguarding board as part of their fact finding and investigation.

Receiving an allegation

A member of staff who receives an allegation about another member of staff should follow the guidelines for dealing with disclosures. The allegation should be reported immediately to the Chief of Staff and CEO. If the Chief of Staff is the person against whom the allegation is made, the report should be made to the CEO. If the allegation is made against the CEO, the DSL/Chief of Staff should:

- Obtain written details of the allegation from the relevant person/s, that are signed and dated. The written details should be countersigned and dated by the DSL/Chief of Staff
- Record information about times, dates, locations and names of potential witnesses

Initial assessment by the Chief of Staff

The Chief of Staff should make an initial assessment of the allegation, consulting with the DSL and the relevant local authority's safeguarding team as appropriate. An allegation is information which indicates that a person who works with a child, young person or vulnerable adult has:

- behaved in a way that has harmed or may have harmed a vulnerable person.
- possibly committed a criminal offence against or related to a vulnerable person.
- behaved towards a vulnerable person in a way that indicates s/he is unsuitable to work with vulnerable people.

It is important that the Chief of Staff does not investigate the allegation. The initial assessment should be based on the information received and is a decision whether or not the allegation warrants further investigation. If the assessment of the allegation is that it requires investigation, then an investigation will take place in accordance with Corndel's Disciplinary Policy. The relevant Local Authority Designated Officer (LADO) will be advised and kept fully informed of progress and outcome.

Enquiries and investigations

Child or vulnerable adult protection enquiries by Social Services or the police are not to be confused with internal, disciplinary enquiries by Corndel. Corndel may be able to use the outcome of external agency enquiries as part of its own procedures. The child protection agencies, including the police, have no power to direct Corndel to act in a particular way, however, Corndel should assist the agencies with their enquiries.

Corndel will instigate its own internal enquiries regardless of any formal police or social services investigations but will ensure that this will not prejudice, interfere or delay the investigation. Any internal enquiries shall conform with the existing staff disciplinary procedures and will only be commissioned and suspended or commissioned after the conclusion of any police investigation.

If there is an investigation by an external agency, for example the police, the DSL and/or Chief of Staff should normally be involved in, and contribute to, the inter- agency strategy discussions. The DSL and CEO are responsible for ensuring that Corndel Ltd gives every assistance with the agency's enquiries.

He/she 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 Chief of Staff shall advise the member of staff that he/she should consult with a representative, for example, a trade union.

The Chief of Staff will consult with Social Services, the police or other relevant agencies, particularly in relation to timing and content of the information to be provided, and shall:

- inform the learner making the allegation, that the investigation is taking place and what the likely process will involve
- ensure that the learner making the allegation has been informed verbally and in writing 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 investigation is taking place and what the likely process will involve
- inform the member of staff making the allegation that the investigation is taking place and what the likely process will involve
- inform the Safeguarding Board of the allegation and the investigation

The Chief of Staff shall keep a written record of the action taken in connection with the allegation.

Suspension

Suspension should not be automatic and where possible a member of staff should be redeployed into a role which protects them as an individual and the person making the allegation. In respect of staff, other than the CEO or senior post holders, suspension can only be carried out by the Chief of Staff or a member of staff acting under their direction. In respect of senior post holders, suspension can only be carried out by the CEO.

Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary act and shall be on full pay with no withdrawal of benefits. Consideration should be given to alternatives: e.g., paid leave of absence; agreement to refrain from attending work; change of, or withdrawal from, specified duties.

Suspension should only occur for a good reason. For example:

- where a learner is at risk
- where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct
- where necessary for the good and efficient conduct of the investigation

If suspension is being considered, this will be conducted in accordance with the existing Corndel disciplinary procedures.

The disciplinary investigation

The disciplinary investigation will be conducted in accordance with the existing Corndel Ltd disciplinary procedures.

Allegations without foundation

False allegations may be indicative of problems of abuse elsewhere. A record should be kept. In consultation with the DSL, the CEO shall:

- inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary action will be taken. Consideration should be given to offering counselling and support in order to rebuild the member of staff's confidence and contact with our Employee Assistance Programme can be made via the individual or line manager. Inform those involved that the allegation has been made and of the outcome.
- where the allegation was made by a learner other than the alleged victim, consideration to be given to informing that learner of the intention to investigate and/or of the outcome where appropriate.
- prepare a report outlining the allegation and giving reasons for the conclusion that it had no foundation and confirming that the above action had been taken.
- in some circumstances, consider the broader disclosure of details of the outcome of the investigations, for example if the matter is of general importance, has become common knowledge or the subject of general gossip. There is a need to provide accurate details for public information. The member of staff should be involved in the planning of proposed communications in this instance and be made aware of timings to share wider so that they are supported and prepared.

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Records

It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details will be retained on the member of staff's personal and confidential file. Where the allegation is found to be without foundation, a record of the allegation, investigation and outcome should be retained and also held on the personnel file.

If a member of staff is dismissed or resigns before the disciplinary process is completed, he/she should be informed about Corndel's statutory duty to notify the Disclosure and Barring Service and where possible sent the findings and outcomes of any investigation.

Confidentiality

Corndel will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.



Appendix F: Good Practice in Responding to Concerns

If somebody discloses to you that they are, or have been, suffering from abuse or neglect, you must respond in the following way:

- Try to find somewhere quiet to talk, but remember that a safe place will be different for each individual
- Remain calm at all times
- Listen carefully and don't show signs that you might be upset or shocked by what you are hearing
- Explain to the adult that you can't keep things secret and you have responsibilities to tell your Designated Safeguarding Lead/Chief of staff or manager
- Explain that you will keep them informed, as much as possible, in what happens next.
- Record the information.
- Keep the information in a safe and secure place.
- Report the matter to your Designated Safeguarding Lead or manager and to the Local Authority or Police if appropriate.

Good Practice in Recording Concerns

As soon as possible on the same day you must make a written record of what you have seen, been told or have concerns about. Try to make sure anyone else who saw or heard anything relating to the concern also makes a written report.

The written report will need to include:

- the date and time when the disclosure was made, or when you were told about / witnessed the incident(s);
- who was involved, any other witnesses, including service-users, and other staff;
- the relationship between the alleged perpetrator and alleged victim;
- exactly what happened or what you were told, in the person's own words, keeping it factual and not interpreting what you saw or were told. Always record the exact words by the person disclosing and do not be tempted to put the disclosure into your own words;
- the views and wishes of the adult;
- any issues with capacity;
- the appearance and behaviour of the adult and/or the person making the disclosure;
- any injuries observed;
- any actions or decisions taken at this point; and
- any other relevant information, such as previous incidents that have caused you concern.

Remember to include as much detail as possible:

- Make sure the written report is legible, written or printed in black ink, and is of a quality that can be photocopied.
- Ensure you have printed your name on the report and that it is signed and dated.
- Keep the report factual as far as possible. However, if it contains your opinion or an assessment, it should be clearly stated as such and be backed up by factual evidence. Information from another person should be clearly attributed to them.
- Keep the report(s) confidential, storing them in a safe and secure place.

If you need to amend your report, do not delete anything but make sure that the changes are clear. Explain in a separate document why you needed to make amendments or additions.

Preserving Evidence

In cases where there may be physical evidence of crimes, for example physical or sexual assault, you must contact the police immediately. Ask their advice about what to do to preserve evidence.

As a guide:

- Where possible, leave things as and where they are. If anything must be handled, keep this to an absolute minimum.
- Do not clean up. Do not touch anything you do not have to. Do not throw anything away which could be evidence.
- Do not wash anything or in any way remove fibres, blood etc.
- Preserve the clothing and footwear of the victim.
- Preserve anything used to comfort or warm the victim, like a blanket.
- Note in writing the state of the clothing of both the victim and person alleged to have caused the harm. Note injuries in writing. As soon as possible, make full written notes on the conditions and attitudes of the people involved in the incident.
- Take steps to secure the room or area where the incident took place. Do not allow anyone to enter until the police arrive.

In addition, in cases of sexual assault:

- Preserve bedding and clothing where appropriate, do not wash them.
- Try not to have any personal or physical contact with either the victim or the person alleged to have caused the harm. Offer reassurance and comfort as needed but be aware that anyone touching the victim or source of risk can contaminate evidence.

The following diagram, taken from a Local Authority Safeguarding Adults Board, demonstrates the process of reporting and responding to concerns:

Appendix G: What we understand about abuse and neglect

Defining abuse or neglect is complex and depends on many factors. The term “abuse” can be subject to wide interpretation. It may be physical, verbal or psychological, or it may occur where a person is persuaded to enter a financial or sexual transaction to which they have not consented or cannot consent to.

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. Repeated instances of poor care may be an indication of more serious problems and of what we describe as organisational abuse. In order to see these patterns, it is important that information is recorded and appropriately shared.

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.

Since the Act came into force in 2015, however, other types of abuse have since been recognised, including criminal and sexual exploitation and cuckooing.

Physical Abuse

Physical abuse includes assault, hitting, slapping, pushing, kicking, misuse of medication, being locked in a room, inappropriate sanctions or force-feeding, inappropriate methods of restraint, and unlawfully depriving a person of their liberty.

Possible indicators of physical abuse

- Unexplained or inappropriately explained injuries.
- An adult exhibiting untypical self-harm.
- Unexplained cuts or scratches to mouth, lips, gums, eyes or external genitalia.
- Unexplained bruising to the face, torso, arms, back, buttocks, thighs, in various stages of healing.
- Collections of bruises that form regular patterns which correspond to the shape of an object or which appear on several areas of the body.

-
- Unexplained burns on unlikely areas of the body (e.g., soles of the feet, palms of the hands, back), immersion burns (from scalding in hot water or liquid), rope burns, or burns from an electrical appliance.
 - Unexplained or inappropriately explained fractures at various stages of healing to any part of the body.
 - Medical problems that go unattended.
 - Injuries that remain untreated.
 - Sudden and unexplained urinary and/or faecal incontinence.
 - Evidence of overusing or underusing medication.
 - The adult flinches or shy's away from physical contact.
 - The adult appears frightened or subdued in the presence of particular people.
 - The adult asks not to be hurt.
 - The adult may repeat what the person causing harm has said (e.g., 'Shut up or I'll hit you').
 - Reluctance to undress or uncover parts of the body.
 - The adult wears clothes that cover all parts of their body or specific parts of their body.
 - Changes in the adult's behaviour.
 - An adult with capacity not being allowed to go out of a care home when they ask to or when they are invited out by another person.
 - An adult without capacity not being allowed to be discharged at the request of an unpaid carer/family member.

Domestic Abuse

The Home Office offers the following definition of domestic abuse:

“An incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is or has been an intimate partner or family member regardless of gender or sexuality. It includes psychological, physical, sexual, financial, emotional abuse, so-called ‘honour-based’ violence, Female Genital Mutilation and forced marriage. Age range is 16 years old and above.”

Coercive and controlling behaviour in intimate and familial relationships was introduced into the Serious Crime Act 2015. The offence will impose a maximum 5 year imprisonment, a fine or both.

Many people think that domestic abuse is restricted to abuse between intimate partners, but it also extends to other family members. Family members are defined as: mother, father, son, daughter, brother, sister and grandparents, whether directly related, in-laws or stepfamily.

Domestic violence and abuse include any incident or pattern of incidents of controlling, coercive or threatening behaviour or violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members, regardless of gender or sexuality. It also includes honour-based violence, female genital mutilation and forced marriage.

Indicators of Domestic Abuse include:

- Evidence of physical or sexual assaults.
- Verbal and psychological abuse and humiliation in front of other people.
- Low self-esteem.
- Belief that the abuse is somehow their fault.
- Fear of others and unwillingness to engage with outside intervention.
- Damage to home or property.
- Isolation, from friends, family and the wider community.
- Not having enough money for daily life because there is limited access to money.
- Missing appointments without notice or explanation.

Coercive and controlling behaviour is a core part of domestic violence. Coercive behaviour can include:

- Physical and sexual assault; including threats, humiliation and intimidation.
- A person being punished.
- Making a person fearful.
- Keeping the adult away from their friends, family and sources of support.
- Limiting access to resources or money.
- Preventing the person from leaving or escaping abuse.
- Regulating everyday behaviour and activities including what they can wear, where they can go, how to behave and who they see.

Sexual Abuse:

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

It includes penetration of any sort, incest and situations where the person causing harm touches the abused person's body (e.g., breasts, buttocks or genital area), exposes his or her genitals (possibly encouraging the abused person to touch them) or coerces the abused person into participating in or looking at pornographic videos or photographs. Denial of a sexual life to consenting adults is also considered abusive practice.

Any sexual relationship that develops between adults where one is in a position of trust, power or authority in relation to the other (e.g., a day centre worker, social worker, residential worker, health worker etc.) may also constitute sexual abuse.

Possible indicators of sexual abuse:

- The adult has urinary tract infections, vaginal infections or sexually transmitted diseases that are not otherwise explained.
- The adult appears unusually subdued, withdrawn or has poor concentration.
- The adult exhibits significant changes in sexual behaviour or outlook.
- The adult experiences pain, itching or bleeding in the genital/anal area.
- The adult's underclothing is torn, stained or bloody.
- The adult is fearful of contact.
- The adult's behaviour changes.
- The adult becomes introverted and does not want to talk when otherwise they are quite sociable.
- A woman who lacks the mental capacity to consent to sexual intercourse becomes pregnant.

Psychological Abuse

- The adult has urinary tract infections, vaginal infections or sexually transmitted diseases that are not otherwise explained.
- The adult appears unusually subdued, withdrawn or has poor concentration.
- The adult exhibits significant changes in sexual behaviour or outlook.
- The adult experiences pain, itching or bleeding in the genital/anal area.
- The adult's underclothing is torn, stained or bloody.
- The adult is fearful of contact.
- The adult's behaviour changes.
- The adult becomes introverted and does not want to talk when otherwise they are quite sociable.
- A woman who lacks the mental capacity to consent to sexual intercourse becomes pregnant.

Possible indicators of psychological abuse:

- Untypical ambivalence, deference, passivity, or resignation.
- The adult appears anxious or withdrawn, especially in the presence of the alleged abuser.
- The adult exhibits low self-esteem.
- Untypical changes in behaviour (e.g., continence problems, sleep disturbance).
- The adult is not allowed visitors and/or phone calls.
- The adult is locked in a room or in their home.
- The adult is denied access to aids or equipment (e.g., glasses, dentures, hearing aid, crutches, etc.).
- The adult's access to personal hygiene and the toilet is restricted.
- The adult's movement is restricted by use of inappropriate furniture or other equipment.
- Bullying via social networking internet sites and persistent texting.

Financial or Material Abuse

This includes 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, or the misuse or misappropriation of property, possessions or benefits.

Possible indicators of financial or material abuse:

- Lack of heating, clothing or food.
- Inability to pay bills and/or unexplained shortage of money.
- Lack of money, especially the day after receiving money, such as benefits.
- Inadequately explained withdrawals from accounts.
- Unexplained loss/misplacement of financial documents.
- The recent addition of authorised signatories on an adult's accounts or cards.
- Disparity between assets/income and living conditions.
- Power of attorney obtained when the adult lacks the capacity to make this decision.
- Recent changes of deeds/title of house or will.
- Recent acquaintances expressing sudden or disproportionate interest in the adult and their money.
- Service-user not in control of their direct payment or individualised budget.
- Mis-selling/selling by door-to-door traders/cold calling.
- Illegal money-lending.

Scams

These can arise from contact by email, letter, or telephone, or in person, and involve making false promises to con victims out of money.

There are many types of scams but some of the most common are:

- fake lotteries.
- deceptive prize draws or sweepstakes.
- clairvoyants.
- computer scams; and
- romance scams.

Individuals or gangs attempt to trick people with official-looking documents or websites or convincing telephone sales. They have the aim of persuading people to send a processing or administration fee, pay postal or insurance costs, buy an overvalued product, transfer savings from their bank accounts or make a premium rate phone call.

Doorstep Scams are crimes carried out by bogus callers, rogue traders and unscrupulous salespeople who call, often uninvited, at a person's home under the guise of legitimate business or trade.

Modern Slavery

Modern slavery encompasses slavery, human trafficking, forced and compulsory labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

A large number of active organised crime groups are involved in modern slavery. However, it is also committed by individual opportunistic perpetrators.

There are many different characteristics that distinguish slavery from other human rights violations. However, only one needs to be present for slavery to exist.

Someone is in slavery if they are:

- forced to work - through mental or physical threat;
- owned or controlled by an 'employer,' usually through mental or physical abuse or the threat of abuse;
- dehumanised, treated as a commodity or bought and sold as 'property'; or
- physically constrained or have restrictions placed on his/her freedom of movement.

Modern slavery takes various forms and affects people of all ages, gender and races.

Human trafficking involves an act of recruiting, transporting, transferring, harbouring or receiving a person through a use of force, coercion or other means, for the purpose of exploiting them. Trafficking can be domestic, or it can involve trafficking adults into the UK.

If an identified victim of human trafficking is also an adult with care and support needs, the response will be coordinated under the adult safeguarding process. The police are the lead agency in managing responses to adults who are the victims of human trafficking.

There is a national framework to assist in the formal identification of victims and help to coordinate the referral of victims to appropriate services. This is known as the National Referral Mechanism

Possible Indicators of Modern Slavery:

Signs of various types of slavery and exploitation are often hidden, making it hard to recognise potential victims. Victims can be any age, gender or ethnicity or nationality. Whilst by no means exhaustive, some common signs that may indicate modern slavery are:

- An adult is not in possession of their legal documents (passport, identification and bank account details) and they are being held by someone else.
- The adult has old or serious untreated injuries, and they are vague, reluctant or inconsistent in explaining how the injury occurred.
- The adult looks malnourished, unkempt, or appears withdrawn.
- They have few personal possessions and often wear the same clothes.
- The clothes they do wear may not be suitable for their work.

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- The adult is withdrawn or appears frightened, unable to answer questions directed at them, or speak for themselves and/or an accompanying third party speaks for them. If they do speak, they are inconsistent in the information they provide, including basic facts such as the address where they live.
 - They appear under the control and influence of others, rarely interact or appear unfamiliar with their neighbourhood or where they work. Many victims will not be able to speak English.
 - They are fearful of people in general and the authorities in particular.
 - The adult perceives themselves to be in debt to someone else or in a situation of dependence.
 - The adult lives in inappropriate or unduly cramped accommodation.
 - Adults, sometimes in groups, are seen in places where you wouldn't expect. For example, groups of adults waiting in the countryside and not at a bus stop for a "lift".

Environmental Indicators to Modern Slavery

Signs outside of a property that may indicate modern slavery is taking place includes:

- Bars covering the windows of the property.
- Curtains are always drawn.
- There are coverings over the windows, such as reflective film or coatings.
- The entrance has CCTV cameras installed.
- The letterbox is sealed to prevent use.
- There are signs that the electricity may have been tacked on from neighbouring properties or directly from power lines.

Signs inside the property that may indicate modern slavery includes:

- Locked rooms or no access to the back rooms of the property.
- Overcrowding.
- The house is in poor condition, needing repair work.

Discriminatory abuse

This includes discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation and political views, along with racist, sexist, homophobic or ageist comments or jokes, or comments and jokes based on a person's disability or any other form of harassment, slur or similar treatment.

Hate crime can be viewed as a form of discriminatory abuse, although it will often involve other types of abuse too. It also includes not responding to dietary needs and not providing appropriate spiritual support. Excluding a person from activities on the basis they are 'not liked' is also discriminatory abuse

Possible Indicators of Discriminatory Abuse

Indicators for discriminatory abuse may not always be obvious and may also be linked to acts of physical abuse and assault, sexual abuse and assault, financial abuse, neglect, psychological abuse and harassment, so the indicators listed above may also apply to discriminatory abuse.

An adult who is suffering discriminatory abuse may also:

- Reject their own cultural background and/or racial origin or other personal beliefs, sexual practices or lifestyle choices.
- Make complaints about the service not meeting their needs.

Organisational Abuse

Organisational abuse is the mistreatment, abuse or neglect of an adult by a regime or individuals in a setting or service where the adult lives or that they use. Such abuse violates the person's dignity and represents a lack of respect for their human rights.

Organisational abuse includes neglect and poor care practice within an institution or specific care setting, such as a hospital or care home, or where care is provided within an adult's own home. This may range from one-off incidents to ongoing ill-treatment. It can occur through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Organisational abuse occurs when the routines, systems and regimes of an institution result in poor or inadequate standards of care and poor practice, which affect the whole setting and deny, restrict or curtail the dignity, privacy, choice, independence or fulfilment of adults with care and support needs.

Organisational abuse can occur in any setting providing health or social care. Several inquiries into care in residential settings have highlighted that organisational abuse is most likely to occur when staff:

- receive little support from management;
- are inadequately trained;
- are poorly supervised and poorly supported in their work; and
- receive inadequate guidance.

Or where there is:

- unnecessary or inappropriate rules and regulations;
- lack of stimulation or the development of individual interests;
- inappropriate staff behaviour, such as the development of factions, misuse of drugs or alcohol, failure to respond to leadership; or
- restriction of external contacts or opportunities to socialise.

Neglect and Acts of Omission

Neglect and acts of omission include ignoring medical, emotional or physical care needs, failing to provide access to appropriate health, social care or educational services, and the withholding of the necessities of life such as medication, adequate nutrition and heating. Neglect also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk for themselves.

Neglect and poor professional practice may take the form of isolated incidents or pervasive ill treatment and gross misconduct. Neglect of this type may happen within an adult's own home or in an institution. Repeated instances of poor care may be an indication of more serious problems. Neglect can be intentional or unintentional.

Possible indicators of neglect are:

- The adult has inadequate heating and/or lighting
- The adult's physical condition or appearance is poor (e.g., ulcers, pressure sores, soiled or wet clothing)
- The adult is malnourished, has sudden or continuous weight loss and/or is dehydrated
- The adult cannot access appropriate medication or medical care
- The adult is not afforded appropriate privacy or dignity
- The adult and/or a carer has inconsistent or reluctant contact with health and social service
- Callers/visitors are refused access to the adult
- The adult is exposed to unacceptable risk

Self - Neglect

Self-neglect entails neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. It is also defined as the inability, intentional or unintentional, to maintain a socially and culturally accepted standard of self-care with the potential for serious consequences to the health and wellbeing of the individual and sometimes to their community.

Self-neglect may not prompt a section 42 enquiry, and an assessment will 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. However, there may come a point where they are no longer able to do this without external support.

Indicators of self-neglect may include:

- living in very unclean, sometimes verminous, circumstances;
- poor self-care, leading to a decline in personal hygiene;
- poor nutrition;
- poorly healing sores;
- poorly maintained clothing;
- isolation;
- failure to take medication;
- hoarding;
- neglecting household maintenance; or
- portraying eccentric behaviour/lifestyles.

Poor environments and personal hygiene may be a matter of personal or lifestyle choice or other issues, such as insufficient income.

Exploitation

Abuse of adults with care and support needs often occurs within a context of exploitation.

Exploitation is an act where someone will use another person for profit, labour, sexual gratification or some other personal or financial advantage. As such, exploitation can take many forms and result in different types of harm, such as financial, emotional/psychological or sexual. These types of abuse have been covered in the sections above, but some forms of criminal exploitation are explained in the paragraphs below.

Sexual exploitation

The sexual exploitation of adults with care and support needs involves exploitative situations, contexts and relationships where adults with care and support needs, or a third person or persons, receive ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money, attention, understanding, company) as a result of performing sexual activities, and/or having others performing sexual activities on them.

Sexual exploitation can occur through the use of technology without the person’s immediate recognition. This can include being persuaded to post sexual images or videos on the internet or send them on a mobile phone with no immediate payment or gain or being sent such an image by the person alleged to be causing harm. In all cases, those exploiting the adult have power over them by virtue of various factors, including their age, gender, intellect, physical strength, and/or economic or other resources.

Criminal exploitation

Criminal exploitation occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child, young person or an adult, including those with care and support needs, into any criminal activity:

- (a) In exchange for something the victim needs or wants, and/or
- (b) For the financial or other advantage of the perpetrator or facilitator, such as to support serious organised crime and/or terrorism, and/or
- (c) Through violence or the threat of violence to ensure compliance.

Because they are more likely to be easily detected, individuals who are exploited are more likely to be arrested and criminalised for criminal behaviour, than those individuals or groups who are exploiting them.

The victim may have been criminally exploited even if the activity appears consensual. Criminal exploitation does not always involve physical contact; it can also occur using technology and/or social media.

[Adapted from the Child Criminal Exploitation definition in Working Together: DfE: 2018:107 and Home Office: 2018:46]

Individuals who are being criminally exploited can be involved, linked to or considered to be, by themselves or others, as part of a “gang” (taken from research and publication by Factor et al: 2015). It is important when children or adults, including those with care and support needs, identify or are identified as being affected or involved with gang-related activity that involves the use of actual or threatened violence and/or drug dealing, that professionals also consider that they may be victims of criminal exploitation.

Criminal exploitation is broader than, but often part of, organised crime and county lines.

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.” (National Crime Agency: 2018).

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 forms of “deal lines”.

They are likely to exploit children and adults, including those with care and support needs, to move, locally supply and store the drugs and money. They will often use coercion, intimidation, violence (including sexual violence) and weapons (Home Office: 2018:2).

Cuckooing

The term ‘cuckooing’ 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.” (Coomber and Moyle: 2017).

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.

The Context of Criminal Exploitation

Criminal exploitation, including cuckooing, can include several different types of abuse. The types of abuse that can often be present, or relied upon for the purposes of power, include:

- Modern slavery and trafficking.
- Domestic abuse.
- Sexual abuse, including sexual exploitation.

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- Physical abuse.
 - Psychological abuse.
 - Financial abuse.
 - Neglect, including self-neglect.
 - Emotional abuse.

Criminal exploitation can involve complex and organised abuse involving one or more abusers and several children and/or adults, including those with care and support needs.

Criminal exploitation can take place outside of the family or home environment. It is often a combination of the interplay between the relationships and circumstances both inside and outside of the family/home environment that can lead to a child or adult being criminally exploited.

It is now recognised that it is crucial to have a multi-agency contextual safeguarding approach and look at the victim's surrounding environment. An approach should be adopted which considers and addresses the individual needs, risks and protective factors within, including the needs and capacity of parents/carers, and outside, including the impact of social conditions, of the family/home. This approach should also be taken when a child or adult, including those with care and support needs, is being considered as a potential perpetrator.

Vulnerable Groups at Risk

As with other types of exploitation, individuals, both adults and children, who fall into the following vulnerable groups are more likely to be at risk of being criminally exploited. Individuals or families who fall into more than one of the groups, and show the signs of criminal exploitation or cuckooing as outlined below, should be considered at the greatest risk if they:

- are teenage children and young adults;
- have previously or are currently experiencing abuse or other Adverse Childhood Experiences (ACEs);
- lack a safe/stable home environment, now or in the past. For example, due to domestic violence, parental substance misuse, mental health issues or criminality;
- are homeless or have insecure accommodation status;
- are exposed to violent crime, gang-related activity and deprivation;
- are socially isolated, lonely or experience social difficulties;
- are economically vulnerable;
- are migrants;
- have a physical or learning disability;
- experience mental health issues or substance misuse;
- are or have been in care, particularly those in children's residential care and those with interrupted care histories; or
- are children excluded from school, either permanently or temporarily, or who are not fully engaged or attending their educational provision or an alternative learning provision

(Tapper: 2018). *[List adapted from Home Office: 2018]*

Signs of Criminal Exploitation

As with other types of exploitation, individuals, both adults and children, who fall into the following vulnerable groups are more likely to be at risk of being criminally exploited. Individuals or families who fall into more than one of the groups, and show the signs of criminal exploitation or cuckooing as outlined below, should be considered at the greatest risk if they:

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- are homeless or have insecure accommodation status;
- are exposed to violent crime, gang-related activity and deprivation;
- are socially isolated, lonely or experience social difficulties;
- are economically vulnerable;
- are migrants;
- have a physical or learning disability;
- experience mental health issues or substance misuse;
- are or have been in care, particularly those in children’s residential care and those with interrupted care histories; or
- are children excluded from school, either permanently or temporarily, or who are not fully engaged or attending their educational provision or an alternative learning provision (Tapper: 2018).

[List adapted from Home Office: 2018]

Any sudden changes or presence of the signs should be discussed with the individual, where possible, in the first instance to explore with them the reasons behind the behaviour and try to improve their own understanding of the potential risks.

Signs of Cuckooing

Cuckooing not only has an impact on the individual or family whose home has been taken over, but also the neighbours and neighbourhood of the property that has been cuckooed.

Therefore, signs of cuckooing may be more evident to neighbours than professionals in the first instance. This means that comments and reports from neighbours must be noted and considered by professionals working with individuals or families.

Cuckooing can take place in rented or social housing, including multiple occupancy housing provision. However, individuals who own their own homes, particularly those in the vulnerable groups listed above, may also be targeted.

The following signs may indicate that an individual or family's property has been cuckooed:

- Unknown people frequently staying at/moving into the property; often described by the individual or families as "friends"
- The individual or family moving out or regularly staying away from the property while the unknown individuals remain
- New vehicles regularly parking or remaining outside the property
- An increase in the number of comings and goings throughout the day and/or night, including people/vehicles that have not been seen before
- An increase in anti-social behaviour, such as property damage, littering, regular loud music or 'parties,' or evidence of verbal or physical aggression, in and around the property
- The individual/family refusing entry or restricting access to certain parts of the property to neighbours, friends or professionals, particularly if they have allowed it before

As with all areas of exploitation, referral to the relevant agencies in a timely manner is essential. Such options could include:

- Police involvement and intervention
- Ongoing support from Mental Health services
- Housing providers
- Any physical health services
- Community services and resources
- Education services
- The Salvation Army, who can provide specialist support including access to confidential legal advice, health care, counselling, educational opportunities, financial support and support with accessing housing and employment

Appendix H: Legal Frameworks

The legal framework for the role of Corndel:

The Equality Act 2010

The principles of the Equality Act 2010 underpin this policy: it covers everyone in Britain and protects people from discrimination, harassment and victimisation.

Care Act 2014 and Statutory Guidance issued under the Act

This sets out rules and guidance on all aspects of safeguarding and repeals the No Secrets guidance (2000). It is not set out in detail here as its contents inform the major parts of this policy.

The Human Rights Act 1998

This gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights (ECHR).

The Act applies to all public authorities, such as central government departments, local authorities and NHS Trusts, and other bodies performing public functions, such as private companies operating prisons. These organisations must comply with the Act, and an individual's human rights, when providing a service or making decisions that have a decisive impact upon an individual's rights. The Care Act extends the scope of the Human Rights Act.

Although the Act does not apply to private individuals or companies, except where they are performing public functions, public authorities have a duty to promote the human rights of individuals and this entails a duty to stop people or companies abusing an individual's human rights.

The Human Rights Act covers everyone in the United Kingdom, regardless of citizenship or immigration status. Anyone who is in the UK for any reason is protected by the provisions of the Human Rights Act.

Mental Capacity Act 2005

The MCA 2005 was enacted to protect individuals and their freedoms. It empowers individuals to retain freedom of choice and, when choices cannot freely be made, it seeks to make sure that decisions are taken in the individual's best interests. Any decision taken on behalf of an individual who lacks capacity to make a specific decision must be based on their wishes so far as is possible. Best interest rules must be followed when making decisions for an adult who lacks capacity.

The Act is also a useful guide to interactions with people who may lack capacity. Everyone working with someone who might be considered vulnerable must have a working knowledge of the Act. The Act also complements Corndel's other policies and its ethos. Therefore, it is included here both for information purposes and to note that Corndel's staff and board will act within its principles at all times.

Part 1 of the Mental Capacity Act 2005

- The Principles outlined in the Mental Capacity Act are:
- A person must be assumed to have capacity unless it is established that he/she lacks capacity.
- A person is not to be treated as unable to make a decision unless all practicable steps to help him/her to make a decision have been taken without success.
- A person is not to be treated as unable to make a decision merely because he/she makes an unwise decision.
- An action taken, or decision made, under this Act for, or on behalf of a person who lacks capacity, must be done, or made, in his/her best interests.
- Before the action is undertaken, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

People who lack capacity:

- For the purposes of this Act, a person lacks capacity in relation to a matter if, at the material time, they are unable to make a decision for themselves in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain.
- It does not matter whether the impairment or disturbance is permanent or temporary.
- A lack of capacity cannot be established merely by reference to -
 - (a) a person's age or appearance, or
 - (b) a condition of theirs, or an aspect of their behaviour, which might lead others to make unjustified assumptions about their capacity.

The Act also introduced Independent Mental Capacity Advocates who can be appointed if circumstances warrant an independent voice for someone considered to lack capacity.

The Education Act 2002 - Section 157 & 175

Requires local authorities and governing bodies of further education institutions to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children, young people and adults at risk. In addition, they should have regard to any guidance issued by the Secretary of State in considering what arrangements they may need to make.

Safeguarding Vulnerable Groups Act 2006

The purpose of this Act is to prevent harm from occurring to adults at risk by preventing those who may cause harm from being employed in roles where they are in contact with them. The Disclosure and Barring Service (DBS) has been introduced to help employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children.

The Public Interest Disclosure Act 1998 (PIDA)

This created a framework for whistleblowing across the private, public and voluntary sectors. The Act provides almost every individual in the workplace with protection from victimisation

when they raise genuine concerns about malpractice in accordance with the Act's provisions. All organisations must have a Whistleblowing Policy in place.

Protection of Freedoms Act (2012)

This Act brought together the agencies which now undertake DBS checks and issue certificates.

Part 5 - Safeguarding vulnerable groups, criminal records etc.

Covers the reduction in scope of the definition of regulated activity, new services provided by the DBS, and disregarding certain convictions and cautions.

Further guidance to be considered:

The Education Inspection Framework (2019)

The education inspection framework sets out how Ofsted inspects maintained schools, academies, non-association independent schools, further education and skills provision and registered early years settings in England.

Inspecting safeguarding in early years, education and skills settings (2019)

This guidance sets out the main points that inspectors need to consider when inspecting safeguarding in early years, education and skills settings.

Further education and skills inspection handbook

This handbook describes the main activities that inspectors carry out when they inspect further education and skills providers in England under part 8 of the Education and Inspections Act 2006.

Further guidance for safeguarding children:

Keeping Children Safe in Education (2020)

In addition to the safeguarding statutory responsibilities of schools and colleges, KCSiE provides good practice recommendations and useful links in relation to children. This covers relevant legislation; responsibilities; safer recruitment practice; recruitment and vetting checks; dealing with allegations of abuse or misconduct against staff; and also, checklists, flowcharts and examples useful in the consideration of safeguarding in general.

Working together to Safeguard children (2020)

Provides statutory guidance on the roles and responsibilities of agencies working together to safeguard children/ young people. In addition, it sets out the framework for the formation of Local Safeguarding Children Boards and details the allegation management process. This includes providing a coordinated offer of early help when additional needs of children are identified and contributing to inter-agency plans to provide additional support to children subject to child protection plans. Access is allowed for children's social care from the local authority and, where appropriate, from a placing local authority, for that authority to conduct, or to consider whether to conduct, a section 17 or a section 47 assessment. Safeguarding arrangements take into account the procedures and practice of the local authority as part of the inter-agency safeguarding procedures set up by the Local Safeguarding Children Board