

ADULT SAFEGUARDING PROCEDURE

Policy Statement:

EKC Group take the safeguarding of students and staff incredibly seriously. Although safeguarding procedures focuses on children and vulnerable adults, it is clear that there are times whereby adults within the organisation, including students and staff may be at risk of harm. As a result, the adult safeguarding procedure outlines the process and responsibilities for staff, DSL's and Senior Leaders within the Group to take if a concern is reported or raised about an adult at risk, in line with current legislation and guidance. This procedure provides detailed, operational guidance on how to handle safeguarding disclosures and details specific procedures to follow for different safeguarding issues.

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1. Introduction

- 1.1. This adult safeguarding procedure applies to, and should be followed by, all EKC Group Employees
- 1.2. Our safeguarding procedure is here to support and protect you as much as the adults we work with, and to help create a safe and secure environment for all, where safeguarding is paramount and inaction or silence around concerns of abuse or poor practice is not acceptable.
- 1.3. This procedure covers who you should talk to about any safeguarding questions or concerns, how you should behave to create a safe environment,

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and the key steps in dealing with any concerns raised. These are referred to as the 4 Rs:

<p>RECOGNISE a concern, disclosure or accusation</p> <p>Take these seriously and do not dismiss them</p> <p>Listen to everything being shared</p> <p>Do not ask leading questions or investigate</p>	<p>RESPOND appropriately</p> <p>Reassure anyone sharing a concern, disclosure or accusation that they are doing the right thing in speaking up</p> <p>Do not promise confidentiality</p>	<p>REPORT all concerns to the DSOs or appropriate responsible person ASAP</p> <p>Tell anyone sharing concerns that you will pass them on to the appropriate people to help keep everyone safe</p>	<p>RECORD all the relevant information</p> <p>This will be required so the DSOs can assess what to do, and in case concerns need to be passed on to external organisations/agencies</p>
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2. Key contacts

- 2.1. The individual college/ business unit's Designated Safeguarding Officers are the first point of contact for anyone who has a safeguarding question or concern, needs to report a disclosure or who needs advice. If you are unsure, it is much better to ask than to risk not reporting something which may be a genuine safeguarding concern.
- 2.2. All safeguarding concerns or disclosures MUST be reported to the appropriate Designated Safeguarding Officers (DSOs) or relevant responsible person within 24 hours. If you are unsure who this is, please see the back of your ID badge or ask a manager.

3. Establishing a safe environment

- 3.1. In order to help EKC Group establish an environment where everyone feels safe and respected, you should:
 - 3.1.1. Remember that safeguarding is paramount throughout all of your work and follow the guidance in the Safeguarding Policy and this procedure.
 - 3.1.2. Listen to and take seriously any concerns or allegations reported to you.
 - 3.1.3. Know what to do and who to speak to if you have any safeguarding concerns relating to an adult at risk.
 - 3.1.4. Challenge any poor or unsafe practices, taking action when you have a concern or, feel something isn't right.
 - 3.1.5. Always behave professionally and maintain high standards of practice.
 - 3.1.6. Take responsibility for your own actions and behaviour, avoiding any conduct which would lead any reasonable person to question your motivation and/or intentions.

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3.1.7. Involve adults in any decisions you take about them and their information.

4. Recognising a concern

- 4.1. A safeguarding concern would include anything which may indicate that there is a concern over the welfare of an adult who may be an adult at risk, or that there is a risk of abuse or harm to that adult.
- 4.2. Suspicions or concerns can be raised in several ways – you must be alert and recognise when you need to act. The most likely ways for a safeguarding concern to be raised are:
 - 4.2.1. An adult at risk disclosing abuse or risk of harm to themselves – this is called ‘making/receiving a disclosure’.
 - 4.2.2. Another adult or child sharing a concern with you about an adult at risk.
 - 4.2.3. Noticing some evidence of physical abuse or neglect regarding an adult at risk, or overhearing something which may imply that abuse could be taking place now, in the future or in the past.
 - 4.2.4. Unusual and concerning behaviour by an adult at risk.
 - 4.2.5. Someone sharing a concern about a member of EKC Group staff’s behaviour towards an adult at risk, or making an allegation of abuse (either current, past or potential).
- 4.3. If you are unsure whether something is a safeguarding concern, contact your DSO for advice and support. You must always take disclosures seriously.
- 4.4. You are not expected to determine if, or what type of, harm or abuse someone is experiencing or is at risk of – your role is to recognise when there is cause for concern and pass these concerns on to the DSO or appropriate responsible person.

5. Responding to and reporting concerns

EMERGENCIES

If anyone is at immediate risk of harm, you should call the appropriate emergency services without delay and without having to seek consent.

You should then also immediately call the DSO, (or relevant responsible person if you cannot reach the D/DSO or if it is not appropriate to involve them).

- 5.1. How a concern is raised will affect how you respond:
 - 5.1.1. See Section 6 for more details on how to respond to an adult at risk making a disclosure.
 - 5.1.2. See Section 7 for more details on how to respond to another adult or child sharing their concerns about an adult at risk.

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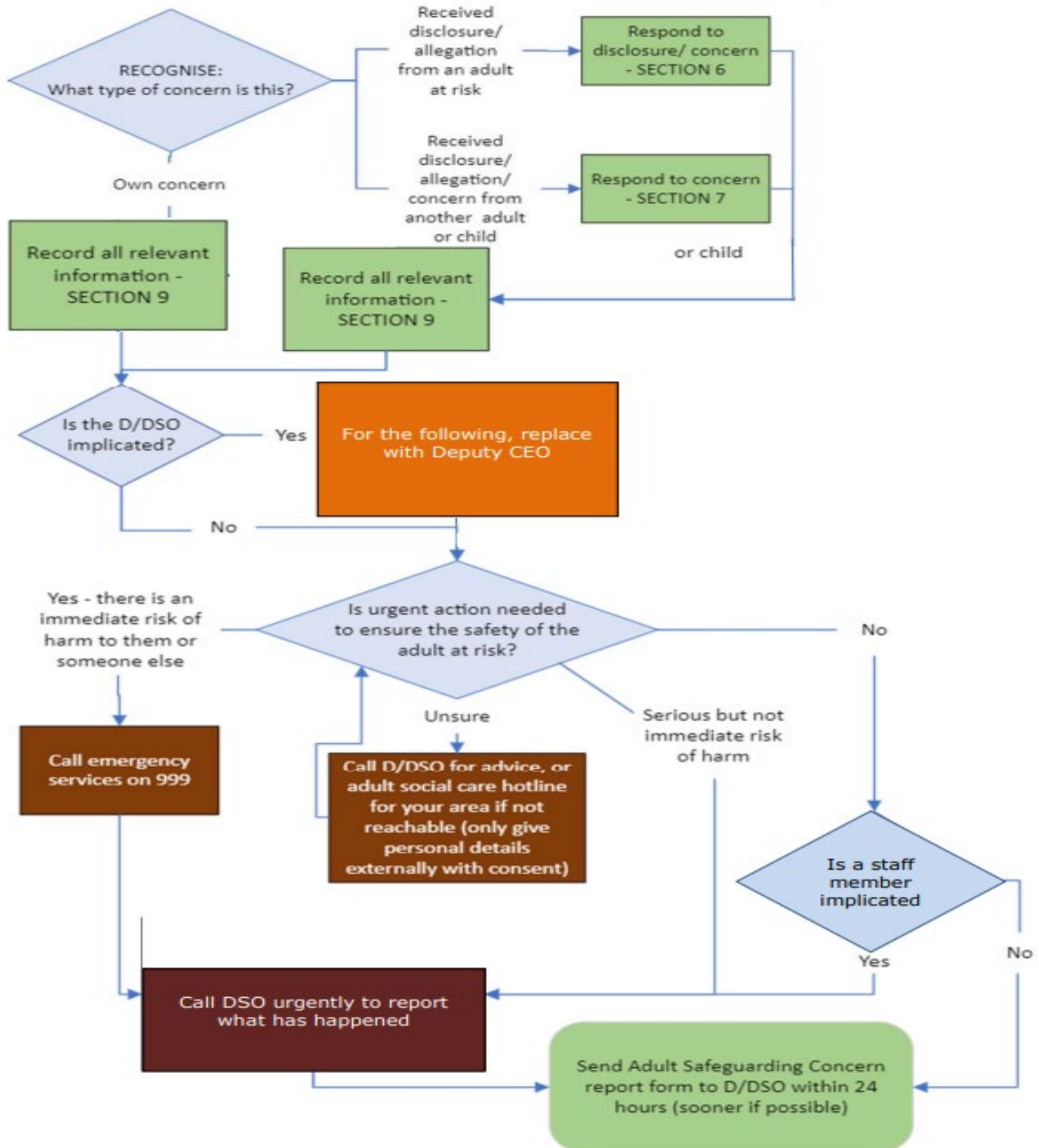
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- 5.2. Take any immediate steps which are necessary to protect the adult from harm – there may be occasions which do not warrant an immediate referral to emergency services but do require you to act.
- 5.3. Follow the steps in Flowchart 1 below to record and report the concern or allegation to the DSO or appropriate responsible person. Remember to record what was said in writing as soon as possible after the discussion, using the person's own words as accurately as possible and noting where you are reporting facts or opinions.
- 5.4. You should make it clear to the adult in question that you will need to pass their concerns on to the relevant staff member in order to better support them. All adult safeguarding concerns should ALWAYS be reported to the DSO or relevant responsible person, who will determine whether the concern needs to be passed on to external agencies, and if so, will seek consent from the adult in question to share their personal details (unless this would put the adult at greater risk).
- 5.5. Under no circumstances should you personally investigate the concern or allegation or examine the adult where they are alleging injuries.
- 5.6. Concerns that are anonymous or historic (e.g. relating to previous staff or an incident that happened some time ago) should not be ignored and must be reported.

FLOWCHART 1: RESPONDING TO AND REPORTING CONCERNS



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6. Receiving a disclosure

- 6.1. If an adult at risk discloses abuse or risk of harm to themselves, or makes an allegation of abuse, you should:
 - 6.1.1. Assume what they are saying is true.
 - 6.1.2. React calmly and supportively.
 - 6.1.3. Reassure them that they are doing the right thing in sharing the concern with you.
 - 6.1.4. Listen, and take the concern or allegation seriously.
 - 6.1.5. Keep questions to the absolute minimum necessary to ensure you understand what is being said and ensure that any question that it is necessary to ask is open and not leading.
 - 6.1.6. Do not criticise or share an opinion to either the adult at risk or anyone else mentioned.
 - 6.1.7. Explain what you will do next and who you will need to tell.
- 6.2. Do not make promises of secrecy or confidentiality – instead, explain that you have to share this with another staff member, and it may be necessary for that staff member to tell someone else in order to keep them and others safe. However, if the adult concerned does not consent to their name being shared, it is usually possible to make an anonymous report, unless we have a duty to pass the information on (for example to protect others). Reassure them that actions will be proportionate.

7. Responding to a concern about an adult at risk from another adult or child

- 7.1. If an adult who is not a member of staff, or a child, shares a concern with you about someone who may be an adult at risk, you should respond following the steps in Section 3, in particular:
 - 7.1.1. Reassure them that they have done the right thing in telling you, that you have taken their concern seriously and will pass it on.
 - 7.1.2. Ensure you record what are their opinions and what are facts (e.g. “this person has a bruise” is a fact; “this person seems angry” is an opinion).
 - 7.1.3. Where appropriate and with their consent, record their details in case any follow-up is required.
- 7.2. Where the concern is not urgent (and immediate measures have not already been implemented and contact made), contact the DSO so that they can determine the best next steps in reaching out to the adult at risk which the concern is about.

8. Concerns or allegations relating to EKC staff members

- 8.1. If a concern relates to the conduct of any member of staff (current, past or future), these should be reported immediately to the DSO or relevant responsible person
– see Section 2.

- 8.2. If you are receiving a concern or disclosure from someone else, follow the guidance in Sections 5.6 or 7 as appropriate in responding to the disclosure or concerns being shared.
- 8.3. Steps will be taken to fully support anyone who in good faith reports his or her concerns about a member of staff and every effort will be made to maintain confidentiality for all parties whilst the allegation is considered.
- 8.4. Concerns in relation to a member of staff may indicate unsuitability to continue working in their present position, or in any capacity. Consideration will need to be given to whether:
 - 8.4.1. The employee has behaved in a way that has led to abuse of an adult at risk.
 - 8.4.2. The employee has possibly committed a criminal offence against or related to an adult at risk.
 - 8.4.3. The employee has behaved towards an adult in a way that indicates they are unsuitable to work with adults at risk either in an unsupervised or supervised capacity.
- 8.5. There may be up to three strands in the consideration of an allegation against a member of EKC Group staff:
 - 8.5.1. A police investigation of a possible criminal offence.
 - 8.5.2. Enquiries and assessment by social services about whether an adult is in need of protection or other services.
 - 8.5.3. Consideration by EKC Group of disciplinary action (please see disciplinary policy).
- 8.6. **Referral for consideration of barring:** if an allegation/concern is substantiated and is serious enough for the staff member to be dismissed, or if they resign before such a dismissal could take place, then the DSO is required to make a referral to the Disclosure and Barring Service (or equivalent for different nations). The DBS will determine whether that individual is barred from or has conditions imposed on them working with children and adults at risk. The referral must be made within one month.

9. Recording information

- 9.1. When recording a concern, disclosure or allegation, you should aim to include:
 - The nature of the disclosure, allegation or concern
 - A description of any visible bruising or other injuries
 - The adult's account (using their own words as far as possible)
 - Any times, dates or other relevant information
 - A clear distinction between what is fact, opinion and hearsay
 - Records should be signed, timed and dated.

9.2. Do not:

- Delay reporting the matter by trying to obtain more information
- Add your own opinion to the report
- Destroy any handwritten notes made at the time of the incident or at the time of reporting, or any other relevant material (such as photographs), in case they are needed by the Crown Prosecution Service.

9.3. Information held by the Group may need to be passed to the local authority and/or other external agencies (e.g. the Police) in order to assist any further enquiries and investigation. It is the responsibility of the DSO to ensure that such information is passed on to the relevant authorities as requested, and your responsibility to ensure that you have shared all information and physical copies with the DSO.

9.4. You should only share information regarding a safeguarding concern on a need-to-know basis.

10. How will the EKC Group respond to a disclosure/report?

<p>RECOGNISE all concerns, reports and allegations, taking them seriously and determining the action required in line with safeguarding best practice</p>	<p>RESPOND appropriately and proportionately</p> <p>This may include (where appropriate): responding to the person raising the concern to discuss next steps and liaising with the adult at risk to discuss what they would like to happen</p>	<p>REFER concerns to external agencies where appropriate</p> <p>This will depend whether a concern meets the criteria for referral, the wishes of the adult at risk, and if consent is not granted, whether the nature of the concern means we still have a duty to report it</p>	<p>RECORD all the relevant information</p> <p>This will include clear records of all decisions taken over referral</p>
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10.1. The Group will take all concerns, disclosures or allegations seriously and will react swiftly and proportionately in line with safeguarding best practice and the Safeguarding policy.

10.2. The DSOs (and/or responsible people, as appropriate) will assess whether a concern meets the criteria for referral under safeguarding legislation and what actions need to be taken in order to safeguard the welfare of the adult(s) at risk in question.

10.3. Adults have a right to refuse consent to share their information to make a safeguarding referral to external agencies.

10.4. Where consent is refused, or not able to be obtained, personal details can still be shared externally in certain circumstances, such as:

- If other people are or may be at risk, including children

- The risk of harm is very high and/or the adult at risk is being coerced into not giving consent
- If a crime has been committed or if sharing information would prevent a crime (known as 'sharing in the public interest')
- A EKC member of staff is implicated
- The implicated person is also an adult at risk
- Where there is sufficient evidence to believe that the adult is at high risk and may lack the capacity to manage that risk without support (see Section 11)
- We have a legal duty to do so, for example to comply with a request from a legal authority.

10.5. If consent is refused, the DSO or responsible person will:

- 10.5.1. Consult with the adult at risk, if it is safe to do so, and discuss the options and implications of refusing consent.
- 10.5.2. Assess the situation and will make the decision whether or not to share without consent in consultation the relevant SLT member.
- 10.5.3. They may require additional information from any employee reporting their concerns in order to build an accurate picture of the circumstances.
- 10.5.4. If it is decided that information will be shared without consent, the adult at risk will be informed of this decision and the reasoning, unless it is unsafe to do so. Any actions taken must be in the person's best interests and should be the least restrictive possible course of action to keep that person safe from harm.

10.6. Where consent is refused, the DSO will record all decisions about whether or not to refer details to external organisations, including reasoning and any input from the adult at risk, such as details of discussions around their decision not to give consent.

10.7. Reports can be made or advice can be sought externally without revealing personal details in order to better determine the next steps.

11. The Mental Capacity Act

- 11.1. In accordance with the Care Act 2014, we must assume that all adults have the capacity to make decisions for themselves, even if we would not agree or advise the same decision. Assumptions around someone's capacity cannot be made solely on a person's appearance or behaviour.
- 11.2. If there is strong evidence to suggest that an adult at high risk may lack the capacity to manage the risk to themselves without support, the Mental Capacity Act applies. We do not expect EKC staff to determine capacity, but if they are the main point of contact for the person in question it is likely that they will be asked to aid communication efforts.

12. Additional Information

- 12.1. This procedure should be read alongside the Safeguarding Policy and all other policies, procedures and documents referenced therein.