

## Waltham Forest Adult Learning Service - Skills

# Safeguarding Adults at Risk and Children Policy

## 1. Introduction

1.1 Waltham Forest Adult Learning Service – Skills is committed to providing a safe and healthy environment for working and learning and to protecting all learners from harm. This document sets out the policy with specific reference to how Waltham Forest Adult Learning Service will fulfil its responsibility to safeguard adult learners and children and promote a safe environment for their learning.

1.2 As a provider of education and training, Waltham Forest Adult Learning Service – Skills has a responsibility to ensure the safety of children and those adults deemed ‘at risk’ and to make sure they feel safe. Safeguarding goes beyond statutory requirements, including child protection arrangements, and encompasses issues such as health and safety (see the Health and Safety Policy), bullying and a range of other issues that contribute to the safety of children and adults at risk, for example, e-safety.

1.3 Waltham Forest Adult Learning Service – Skills is subject to the requirements of the Safeguarding Adults at Risk Groups Act (2006) which introduced new legislation relating to recruiting staff to work with adults at risk and children. This led to the introduction of the Disclosure and Barring Scheme (DBS), which now requires checks on those working most closely and regularly with children and adults at risk.

1.4 Waltham Forest Adult Learning Service – Skills is also responsible for safeguarding learners under 18 years of age under the Education Act 2002 and, where appropriate, under the Children Act 1989 by creating and maintaining a safe learning environment for children and identifying where there are child welfare concerns and taking action to address them, in partnership with other agencies where appropriate.

1.5 This policy refers to the guidelines set out by Waltham Forest Safeguarding Policy and Procedure, which is designed to assist all staff who come into contact with adults at risk and receive an allegation or concern about an incident of harm, and the Waltham Forest Safeguarding in Schools Model Policy, which relates to safeguarding children and young people in education. It also draws on Safer Practice, Safer Learning (2007), a Department for Education and Skills funded resource produced by NIACE to provide guidance in relation to adults in the further education system as well as the London Child Protection Procedures and London multi-agency policy and procedures to safeguard adults from harm.

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## 2. Definitions

### Adult at risk

2.2 An adult at risk is defined as a person 'who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation' (Department of Health, 2000).

Examples of adults who may be 'at risk' include a person who:

- is elderly and frail due to ill health, physical disability or cognitive impairment
- has a learning disability
- has a physical disability and/or a sensory impairment
- has mental health needs including dementia or a personality disorder
- has a long-term illness/condition
- misuses substances or alcohol
- is a carer such as a family member/friend who provides personal assistance and care to adults and is subject to harm
- is unable to demonstrate the capacity to make a decision and is in need of care and support.

2.3 The presence of a disability or age alone does not signify that an adult is necessarily an adult at risk i.e. unable to take care of him or herself or unable to protect him or herself from harm or exploitation. Vulnerability is determined by a range of interconnected factors including personal characteristics, factors associated with their situation or environment and social factors.

### Children

2.4 A child is defined as anyone who has not yet reached his/her 18<sup>th</sup> birthday (Children Acts 1989 and 2004).

### Harm

2.5 The Department of Health (2000) states that:

*'Harm is a violation of an individual's human and civil rights by any other person or persons..... harm may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when an adult at risk person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Harm can happen in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.'*

2.6 The following main forms of harm have been identified: physical; sexual; psychological or emotional; financial or material; neglect and acts of omission; discriminatory and institutional. These are defined in more detail in **Appendix 1** of this document and in the Waltham Forest Safeguarding Adults Policy and Procedure document.

2.7 An adult at risk may be harmed by ‘a wide range of people including relatives and family members, professional staff, paid care workers, volunteers, other service users, neighbours, friends and associates, people who deliberately exploit adults at risk, other people and strangers’ (Department of Health, 2000). Children may be harmed by a similar range of people, including other children.

2.8 The first priority should be to ensure the safety and protection of all adults at risk and children by acting on any suspicion or evidence of harm or neglect. In deciding what action to take, consideration must be given not only to the immediate impact on and risk to the person, but also to the risk of future, longer-term harm.

### Sexual Harassment

2.7 Sexual harassment is unwanted behaviour of a sexual nature. The law (Equality Act 2010) protects the following people against sexual harassment at work: employees and workers, contractors and self-employed people hired to personally do the work. job applicants. To be sexual harassment, the unwanted behaviour must have either: violated someone's dignity, whether it was intended or not/created an intimidating, hostile, degrading, humiliating or offensive environment for them, whether it was intended or not. (ACAS)

2.8 The main forms of sexual harassment (but not limited to), include: sexual comments, remarks, jokes, online sexual harassment/ causing someone to engage in sexual activity without consent/ consensual and non-consensual sharing of nudes/ initiation/hazing type violence and rituals/sexual violence such as: rape, assault by penetration and sexual assault

## 3. Roles and responsibilities

3.1 Providing a safe learning environment for adults at risk and children is the responsibility of all staff and learners. This includes making sure learners use safe working practices in learning, helping learners to feel safe and taking action to identify and respond appropriately to concerns.

3.2 All staff should be aware of this policy and have a duty to act in a timely manner on any concern or suspicion that an adult who is adult at risk or child is being or is at risk of being harm, neglected or exploited or harassed, to ensure that the situation is assessed and investigated.

3.3 All staff who have contact with adults at risk or children have a responsibility to be aware of issues of harm, neglect or exploitation or sexual abuse and to take any immediate steps that are practical to ensure the safety of the harmed person.

3.4 All Waltham Forest Adult Learning Service managers are responsible for ensuring that the standards established within this policy are adhered to within their area of responsibility.

3.5 It is Waltham Forest Council's responsibility to ensure overall safeguarding adult at risk and children procedures are in place. Waltham Forest Safeguarding Adults Board has membership from statutory agencies and others involved with adult at risk and oversees the implementation of adult protection policy and procedures across the Borough. Waltham Forest Local Safeguarding Children Board is responsible for coordinating policy and practice for safeguarding and promoting the welfare of children and young people.