

## **Safeguarding Policy 2025**

### **Vulnerable Adults and Child Protection Policy**

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### **A Policy Statement**

Functional Skills UK (FSUK) has a responsibility towards safeguarding and promoting the welfare of learners receiving education and training with us.

Safeguarding **children** is defined in [Working together to safeguard children](#) as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes

Safeguarding **vulnerable adults** is defined in the [Care and support statutory guidance](#) issued under the Care Act 2014 as:

- protecting the rights of adults to live in safety, free from abuse and neglect
- people and organisations working together to prevent and stop both the risks and experience of abuse or neglect
- people and organisations making sure that the adult's wellbeing is promoted including, where appropriate, taking fully into account their views, wishes, feelings and beliefs in deciding on any action
- recognising that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances and therefore potential risks to their safety or well-being

### **Adult Safeguarding**

Safeguarding adults at risk means protecting their right to live in safety and free from abuse and neglect.

An Adult at risk is defined as a person aged 18 or over who:

- has needs for care and support (whether the local authority is meeting any of those needs or not) and
- is experiencing, or is at risk of, abuse or neglect
- 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.

An adult at risk of abuse may:

- have an illness affecting their mental or physical health,
- have a learning disability,
- suffer from drug or alcohol problems
- be elderly or frail.

### We must strive to:

- Make sure all staff and learners understand Safeguarding is everyone's responsibility
- Provide a safe environment for people to learn in and understand exactly who to contact in the event of a concern
- Make all staff and learners aware of key information pertaining to the Prevent Duty and British Values. (See Prevent Duty Policy).
- Provide regular reminders of who to contact and ensure that information is accessible
- Identify people who are suffering, or likely to suffer, significant harm, and
- Takes appropriate action to see that such people are kept safe, both at home and whilst attending our courses.
- Keep Safeguarding on the agenda for all meetings – (Team, Standardisation, Senior Management)
- Report immediately to BHCC, WSCC and other relevant partners any concerns we have regarding any of their learners.

In pursuit of these aims, FSUK will approve and review policies and procedures with the aim of:

- Raising awareness of issues relating to the welfare of people and the promotion of a safe environment for people learning with our organisation.
- Aiding the identification of people at risk of significant harm, and providing procedures for reporting concerns
- Establishing procedures for reporting and dealing with allegations of abuse against members of staff
- The safe recruitment of staff
- FSUK will refer concerns that a person might be at risk of significant harm to social services and the police where relevant for Under 18's. Vulnerable Adults Safeguarding concerns will be dealt with in line with the local SAB (Safeguarding Adults Board) which comprises of local authority, The Police and the NHS.
- We promote our policy by directing all learners during inductions to our website – Learner Welfare section. Policies are held here alongside additional support and signposting.
- All learning includes multiple Safeguarding awareness and signposting

## **Abuse**

The [National Society for the Prevention of Cruelty to Children](#) defines child abuse as:

when a child is intentionally harmed by an adult or another child – it can be over a period of time but can also be a one-off action.

It can be physical, sexual or emotional and it can happen in person or online. It can also be a lack of love, care and attention – this is called neglect.

The NSPCC defines 13 types of Abuse in children:

- Bullying and Cyberbullying
- Child Sexual Exploitation
- Child Trafficking
- Criminal exploitation and gangs
- Domestic abuse
- Emotional abuse
- Female Genital mutilation (FGM)
- Grooming
- Neglect
- Non-recent abuse
- Online abuse
- Physical abuse
- Sexual abuse

[Types of Child Abuse & How to Prevent Them | NSPCC](#)

The Care and support statutory guidance identifies ten types of abuse for Adults, these are:

- Physical abuse
- Domestic violence or abuse
- Sexual abuse
- Psychological or emotional abuse
- Financial or material abuse
- Modern slavery
- Discriminatory abuse
- Organisational or institutional abuse
- Neglect or acts of omission
- Self-neglect

[Types of abuse: Safeguarding adults | SCIE](#)

All staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another. Somebody may abuse or neglect a child or vulnerable adult by inflicting harm or by failing to act to prevent harm. Children or vulnerable adults may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children or vulnerable adults may be abused by an adult or adults or by another child or children.

**Physical abuse:** a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child or vulnerable adult. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness.

**Emotional abuse in children:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

**Emotional abuse in Vulnerable Adults:**

There are a variety of types of behaviour that could be classed as emotional abuse. These include: Intimidation and threats. This could be things like shouting, acting aggressively or just generally making you feel scared. This is often done as a way of making a person feel small and stopping them from standing up for themselves.

Criticism. This could be things like name calling or making lots of unpleasant or sarcastic comments. This can really lower a person's self-esteem and self-confidence.

**Undermining.** This might include things like dismissing your opinion. It can also involve making you doubt your own opinion by acting as if you're being oversensitive if you do complain, disputing your version of events or by suddenly being nice to you after being cruel.

**Being made to feel guilty.** This can range from outright emotional blackmail (threats to kill oneself or lots of emotional outbursts) to sulking all the time or giving you the silent treatment as a way of manipulating you.

**Economic abuse.** This can be withholding money, not involving you in finances or even preventing you from getting a job. This could be done as a way of stopping you from feeling independent and that you're able to make your own choices. Telling you what you can and can't do.

As the examples above make clear, emotional abuse is generally about control.

**Sexual abuse** can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education.

**Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse.

### **Types of sexual abuse (Safeguarding Adults)**

Rape, attempted rape or sexual assault/ Inappropriate touch anywhere/ Non- consensual masturbation of either or both persons/ Non- consensual sexual penetration or attempted penetration of the vagina, anus or mouth/ Any sexual activity that the person lacks the capacity to consent to/ Inappropriate looking, sexual teasing or innuendo or sexual harassment/ Sexual photography or forced use of pornography or witnessing of sexual acts/ Indecent exposure/ online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include: • non-consensual sharing of sexual images and videos; • sexualised online bullying; • unwanted sexual comments and messages, including, on social media; and • sexual exploitation; coercion and threats.

**Child sexual exploitation** is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology. Like all forms of child sexual abuse, child sexual exploitation: • can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex; • can still be abuse even if the sexual activity appears consensual; • can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity; • can take place in person or via technology, or a combination of both; • can involve force and/or enticement-based methods of compliance and may, or

may not, be accompanied by violence or threats of violence; • may occur without the child or young person's immediate knowledge (through others copying videos or images they have created and posting on social media, for example); • can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse; and • is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources

**Neglect** is the persistent or severe failure to meet a young person's basic physical and/or psychological needs. It will result in serious impairment of the child's health or development. Any child may benefit from early help, but all staff should be particularly alert to the potential need for early help for a child who: • is disabled and has specific additional needs • has special educational needs (whether or not they have a statutory Education, Health and Care Plan) • is a young carer • is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups • is frequently missing/goes missing from care or from home • is at risk of **modern slavery**, trafficking or exploitation • is at risk of being radicalised or exploited • is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse • is misusing drugs or alcohol themselves.

Knowing what to look for is vital to the early identification of abuse and neglect. If staff are unsure, they should always speak to the designated safeguarding lead.

### **Neglect in Vulnerable Adults**

#### Types of neglect and acts of omission

Failure to provide or allow access to food, shelter, clothing, heating, stimulation and activity, personal or medical care/ Providing care in a way that the person dislike/ Failure to administer medication as prescribed/ Refusal of access to visitors/ Not taking account of individuals' cultural, religious or ethnic needs/ Not taking account of educational, social and recreational needs/ Ignoring or isolating the person/ Preventing the person from making their own decisions/ Preventing access to glasses, hearing aids, dentures, etc./ Failure to ensure privacy and dignity

### **Signs and indicators of neglect in Vulnerable Adults**

#### Types of self-neglect

Lack of self-care to an extent that it threatens personal health and safety/ Neglecting to care for one's personal hygiene, health or surroundings/ Inability to avoid self-harm/ Failure to seek help or access services to meet health and social care needs/ Inability or unwillingness to manage one's personal affairs

### **Signs and indicators**

Very poor personal hygiene/ Unkempt appearance/ Lack of essential food, clothing or shelter/ Malnutrition and/or dehydration/ Living in squalid or unsanitary conditions/ Neglecting household maintenance/ Hoarding/ Collecting a large number of animals in inappropriate conditions/ Non-compliance with health or care services/ Inability or unwillingness to take medication or treat illness or injury

Trafficking is where children and young people are tricked, forced or persuaded to leave their homes and are moved or transported and then exploited, forced to work or sold. Children are trafficked for:

sexual exploitation/ benefit fraud/ forced marriage/ domestic slavery like cleaning, cooking and childcare/ forced labour in factories or agriculture/ committing crimes, like begging, theft, working on cannabis farms or moving drugs.

Knowing the signs of trafficking can help give a voice to children. Sometimes children won't understand that what's happening to them is wrong. Or they might be scared to speak out.

It may not be obvious that a child has been trafficked, but you might notice unusual or unexpected things. They might: spend a lot of time doing household chores/ rarely leave their house or have no time for playing/ be orphaned or living apart from their family/ live in low-standard accommodation/ be unsure which country, city or town they're in/ can't or are reluctant to share personal information or where they live

### **Vulnerable Adults - Types of modern slavery**

Human trafficking/ Forced labour/ Domestic servitude/ Sexual exploitation, such as escort work, prostitution and pornography/ Debt bondage – being forced to work to pay off debts that realistically they never will be able to

[Modern slavery - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

**Gang Exploitation** Young people and vulnerable adults can be exploited by criminal gangs. They may be pressured into committing offences such as:

- drug dealing
- stealing
- carrying weapons or drugs

They might be at risk of – or in fear of – violence. They may be forced to travel away from their home and 'work' for the gang. They might not realise they are victims, at times it might seem they are choosing the lifestyle, but this is exploitation.

### **Increasing danger**

Young people can be targeted by their own associates or by others gangs and are at risk of serious violence, robbery, sexual violence, intimidation and debt-bondage – where they are robbed for cash or

drugs and have to work for free to repay the debt, which can be a substantial sum of money. Their families may also be threatened.

With an ever-increasing number of young people involved, and a higher earning potential through the ranks, there is a desire among gang members to sustain their place or move to the top end of the chain.

Increasingly, young people can be persuaded or encouraged to out-perform their peers. This could result in them being more open and suggestible to taking greater risks, involving more danger and behaviour of more serious concern – criminal or otherwise.

### **Vulnerable adults**

Vulnerable adults or those with learning disabilities may also be groomed. Gang members may approach them to use or take over their flat as a base – known as '**cuckooing**'. Vulnerable people in this situation are at risk and can be coerced into behaviour they don't want to be part of.

**Female genital mutilation (FGM)** comprises all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons. The practice is mostly carried out by traditional practitioners. In several settings, there is evidence suggesting greater involvement of health care providers in performing FGM due to the belief that the procedure is safer when medicalized. WHO strongly urges health care providers not to perform FGM.

FGM is recognized internationally as a violation of the human rights of girls and women. It reflects deep-rooted inequality between the sexes and constitutes an extreme form of discrimination against girls and women. It is nearly always carried out on minors and is a violation of the rights of children. The practice also violates a person's rights to health, security and physical integrity; the right to be free from torture and cruel, inhuman or degrading treatment; and the right to life, in instances when the procedure results in death.

### **Bullying**

Bullying can take many forms and may include threatening, inappropriate or abusive statements, made on social networks or via the internet in general.

Any child can be bullied for any reason. If a child is seen as different in some way, or seen as an easy target they can be more at risk.

This might be because of their:

race or ethnic background/ gender/ sexual orientation.

Or it could be because they:

appear anxious or have low self-esteem/ lack assertiveness/ are shy or introverted.

Popular or successful children are also bullied, sometimes because others are jealous of them. Sometimes a child's family circumstance or home life can be a reason for someone bullying them.



Disabled children can experience bullying because they seem an easy target and less able to defend themselves.

No single sign will indicate for certain that your child's being bullied, but watch out for:

belongings getting 'lost' or damaged/ physical injuries, such as unexplained bruises/ being afraid to go to school, being mysteriously 'ill' each morning, or skipping school/ not doing as well at school/ asking for, or stealing, money (to give to whoever's bullying them)/ being nervous, losing confidence, or becoming distressed and withdrawn/ problems with eating or sleeping/ bullying others.

### **Online**

Technology forms an integral part of the wider world and FSUK seeks to embed this in all its programmes. Effective and robust IT monitoring and filtering systems are in place to safeguard students while they are online and using FSUK facilities. Staff always remain vigilant; they investigate and escalate matters when there are concerns about individuals/groups of students. The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm. The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:

- **content:** being exposed to illegal, inappropriate or harmful material; for example pornography, fake news, racist or radical and extremist views;
- **contact:** being subjected to harmful online interaction with other users; for example commercial advertising as well as adults posing as children or young adults; and
- **conduct:** personal online behaviour that increases the likelihood of, or causes, harm; for example making, sending and receiving explicit images, or online bullying.

**Extremism** as is defined in law as: vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.

(Counter-terrorism and Security Act 2015)

**Radicalisation** is the process by which an individual or group adopts extreme political, social or religious views. People can 'self-radicalise', by reading or listening to extremist literature or speakers. More commonly, there may be an individual or group actively seeking to persuade others to adopt their views. This process of persuasion or coercion is known as radicalisation.

If a person or group decides that fear, terror and violence are justified to try to achieve radical ideological, political or social change, and then acts accordingly, this may be considered violent extremism or terrorism.

There are no typical indicators of what the radicalisation process looks like. It will be different for each person depending on various factors. Often radicalisation occurs when individuals' vulnerabilities are exploited.

Both adults and children can become vulnerable or susceptible to radicalisation for many different reasons, including:

a sense of social isolation/ low self esteem/ feeling rejected by their peers, faith, social group or family/ pressure from peers associated with extremism/ being a victim or witness to hate crime/incidents or bullying/ conflict with family or friends over views on society or possibly interpretation of faith/ conflict with family or friends over lifestyle choices/extreme political views/ identity confusion/ an event or series of traumatic events – personal, national or global/ a feeling that an element of their identity is under threat or treated unjustly.

FSUK Prevent Policy can be found on [www.functionalskillsuk.com](http://www.functionalskillsuk.com) where further information on the The Governments strategy for countering terrorism, British Values, Staff Training and processes to follow if you have a concern relating to the information given above.

### **Missing Persons:**

Someone is reported missing every 90 seconds in the UK

170,000 people are reported missing every year

There are 353,000 reported missing incidents every year

### **How many people go missing each year?**

Missing people: of the 170,000 people reported missing nearly 98,000 are adults and more than 70,000 are children

- Missing incidents: of the 353,000 reported incidents, more than 137,000 incidents are adults and almost 215,000 incidents are children
- Looked after children are at high risk of being reported missing. 1 in 10 looked after children are reported missing compared to 1 in 200 children. Looked after children who are reported missing will be reported on average 6 times

Most of the people who are reported missing may be experiencing some kind of vulnerability or risk. This can be exacerbated by being missing, particularly where someone goes missing more than once.

There are a wide range of reasons why adults and children go missing, and often there is more than one cause. Some of the most common reasons for children to be missing are:

- Conflict, abuse and neglect at home
- Sexual exploitation
- Trafficking
- Mental Health

From existing research, the most common reasons for adults to be missing are:

- Diagnosed or undiagnosed mental health issues
- Relationship breakdown
- Dementia
- Escaping violence
- Financial Problems

See FSUK website **Learner Welfare** for organisations and resources that can help keep learners safe online.

## **B Designated**

### **Staff with Responsibility for Child Protection**

Both Functional Skills UK and Brighton Swimming Centre have named Safeguarding personnel, their contact details are displayed in all training rooms and areas accessible to learners and staff. Named personnel undertake Level 3 DSL training annually in Safeguarding and Prevent every two years, and a separate CPD in Safeguarding Vulnerable Adults.

DSL's attend annual Prevent Planning for FE Providers training.

DSL's receive Prevent updates and Newsletters from Southeast Prevent Coordinators. Currently awaiting notification of replacement Southeast coordinator – [alamgir.sheriyar@education.gov.uk](mailto:alamgir.sheriyar@education.gov.uk)

DSL's attend Counter Terrorism local profile meetings – Southeast and Kent

Functional Skills UK Level 3 Designated Safeguarding Leads are:

Charlie Dew – [charlie@functionalskillsuk.com](mailto:charlie@functionalskillsuk.com) – 07764 969286

Luke Hardy – [luke@functionalskillsuk.com](mailto:luke@functionalskillsuk.com) – 07799 023650

Brighton Swimming Centre DSL:

Jade Cohen – [jade@brightonswimmingschool.com](mailto:jade@brightonswimmingschool.com) – 01273 434400

FSUK are committed to achieving all that this policy sets out.

The designated senior member of staff is responsible for:

- Overseeing the referral of cases of suspected abuse or allegations
- Providing advice and support to other staff on issues relating to child protection
- Maintaining a proper record of any child protection referral, complaint or concern (even where that concern does not lead to a referral)
- Ensuring that parents of young people within FSUK are aware of our child protection policy
- Ensuring all staff are trained to identify a vulnerable adult and take a person-centered approach to helping them
- Abiding by the Safeguarding Vulnerable Adults Act 2006 and ensuring all staff are DBS checked
- Liaising with appropriate agencies
- Liaising with employers and partners that we work with.
- Ensuring that relevant staff receive the following training in Safeguarding and Prevent at induction and throughout employment:
  - NCFE Level 2 Safeguarding and Prevent
  - Education and training Foundation Prevent module
  - ACT Awareness e-learning module
  - Highfield HOT course Equality & Diversity
  - Highfield HOT course GDPR
  - Annual refresher training
  - West Sussex CPD system

### **Staff Training**

All staff regardless of department, hours or contract type will complete the following training within two weeks of their employment start:

- Education and training Foundation Safeguarding and Prevent module (FutureLearn)
- West Sussex CPD System
- Highfield HOT course Equality & Diversity
- Highfield HOT course GDPR
- FSUK Safeguarding Reporting Procedures – Staff are informed of the company DSL and their roles and responsibilities, the reporting procedures for a Safeguarding concern, and what is involved in completing an incident report form. It is key for FSUK that staff understand following Induction that Safeguarding is everyone's responsibility.
- Policy induction that includes signing to say they understand and agree to adhere to FSUK policies including:
  - Safeguarding
  - Prevent
  - Whistleblowing
  - Appeals and Complaints
  - Equality & Diversity
  - GDPR

- Grievance
- Code of Conduct
  - Core staff are enrolled on to NCFE Level 2 Safeguarding and Prevent course to be completed via e-assessor within 2 months of employment start date. This course is comprised of three units:
    - 1: Understanding the Prevent Duty
    - 2: Understanding Safeguarding
    - 3: Understanding online safety
  - Following Induction staff receive annual refresher training via ACT Awareness e-learning module. This module is comprised of real life examples of threats, case studies and each of the 5 sections features a hazard perception test for potential threats and dangers. Knowledge and understanding is tested at the end of every module before proceeding is enabled.
  - Safeguarding is also a standard item on all meetings, these include: Team meetings, Standardisation, Senior Management Meetings and Governor's meetings.

### **C Dealing with Disclosure of Abuse and Procedure for Reporting Concerns**

#### **If a person tells a member of staff about possible abuse:**

- Listen carefully and stay calm.
- Do not interview the person, but question normally and without pressure, to be sure that you understand what the child is telling you.
- Do not put words into the person's mouth.
- Reassure the person that by telling you, they have done the right thing.
- Inform the person that you must pass the information on, but that only those that need to know about it will be told. Inform them of whom you will report the matter.
- Staff should not investigate concerns or allegations themselves but should report them immediately to the Designated Person. The designated person will request an incident report form is completed. These forms are in Head Office or alternatively can be emailed.
- Incidents are logged on a password protected spreadsheet. Only Safeguarding and Welfare Officers have access to this spreadsheet.

FSUK designated Safeguarding Officer/s will then investigate and, if necessary, consult the relevant agency. Agencies are listed at the end of this policy.

If the learner is a learner of one of our funding providers –BHCC/WSCC or another partner we should inform them immediately via their safeguarding officer and follow their procedures.

At the point of referral to an external agency or closing the incident off the spreadsheet is updated and a date of sign off agreed. Any evidence from the incident is kept in a secured file.

Please also refer to **Safeguarding Flow Chart** for FSUK for reporting procedures.

## **D Reporting and Dealing with Allegations of Abuse against Members of Staff**

The procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers.

### **1 Introduction**

1.1 Because of their frequent contact with people, staff may have allegations of abuse made against them. FSUK 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 that investigations are thorough and not subject to delay.

1.2 FSUK recognises that the Children Act 1989 states that the welfare of the child is the paramount concern. It is also recognized that hasty or ill-informed decisions about a member of staff can irreparably damage an individual's reputation, confidence and career. Therefore, those dealing with such allegations within FSUK will do so with sensitivity and will act in a careful, measured way.

If staff have safeguarding concerns, or an allegation is made about another member of staff (including volunteers) posing a risk of harm to children or Vulnerable adults, then:

- this should be referred to the Designated Person/s
- in the event where there are concerns/allegations relate to them directly then Brighton Swimming Centre Designated Persons should be notified.

1.3. If a member of staff feels that their reported concern regarding a child or vulnerable adult has not been dealt with sufficiently by Leaders and Managers, then the staff member should follow FSUK Whistleblowing Policy – full policy can be located on [www.functionalskillsuk.com](http://www.functionalskillsuk.com)

Excerpt from Whistleblowing policy: As a first step, you should normally raise concerns with your immediate manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved you should approach the managing director.

Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

The background and history of the concern (giving relevant dates);

The reason why you are particularly concerned about the situation.

The earlier you express the concern the easier it is to act.

Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

If ultimately you feel you must take the matter externally, possible contacts are listed at Section 10 of this policy.

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

## **2 Receiving an Allegation directly**

2.1 A member of staff who receives an allegation about another member of staff from a person should follow the guidelines for dealing with disclosure

2.2 The allegation should be reported immediately to the Designated Person, unless they are the person against whom the allegation is made, in which case the report should be made to the Manager of FSUK. Allegations against staff must be referred to LADO (Local Authority Designated Officer).

2.2.1 Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the designated person or MD.

2.2.2 Record information about times, dates, locations and names of potential witnesses.

## **3 Initial Assessment by the designated person or MD.**

3.1 The designated person or MD should make an initial assessment of the allegation. **Where the allegation is either a potential criminal act or indicates that the person has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the appropriate authority.**



3.2 It is important that the designated person or MD does not investigate the allegation. The initial assessment should be based on the information received and is a decision whether the allegation warrants further investigation.

3.3 Other potential outcomes are:

3.3.1 The allegation represents inappropriate behavior or poor practice by the member of staff and is neither potentially a crime nor a cause of significant harm to the person. The matter should be addressed in accordance with FSUK disciplinary procedures.

3.3.2 The allegation can be shown to be false because the facts alleged could not possibly be true.

#### **4 Enquiries and Investigations**

4.1 Enquiries by social services, the police or other external authorities are not to be confused with internal, disciplinary enquiries by FSUK. FSUK may be able to use the outcome of external agency enquiries as part of its own procedures. Agencies, including the police, have no power to direct FSUK to act in a particular way; however, FSUK should assist the agencies with their enquiries.

4.2 FSUK shall hold in abeyance its own internal enquiries while the formal investigations proceed; to do otherwise may prejudice the investigation. Any internal enquiries shall conform to the existing staff disciplinary procedures.

4.3 If there is an investigation by an external agency, for example the police, the MD or designated person should normally be involved in, and contribute to, the inter-agency strategy discussions. The MD (or designated person) is responsible for ensuring that FSUK 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.

4.4 Subject to objections from the police or other investigating agency, the MD (or designated person) shall:

4.4.1 Inform the parents/carers of the person or vulnerable adult making the allegation that the investigation is taking place and what the likely process will involve.

4.4.2 Ensure that the parents/carers of the person or vulnerable adult making the allegation have been informed that the allegation has been made and what the likely process will involve.

4.4.3 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.

4.5 The MD (or designated person) shall keep a written record of the action taken in connection with the allegation.

## **5 Suspension of Staff**

5.1 Suspension should not be automatic. In respect of staff other than the principal, suspension can only be carried out by the MD.

5.2 Suspension may be considered at any stage of the investigation. It is a neutral, not a disciplinary, act and shall be on full pay. 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.

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

5.3.1 Where a person is at risk.

5.3.2 Where the allegations are potentially sufficiently serious to justify dismissal on the grounds of gross misconduct.

5.3.3 Where necessary for the good and efficient conduct of the investigation.

5.4 If suspension is being considered, the member of staff should be encouraged to seek advice, for example from a trade union.

5.5 Prior to making the decision to suspend, the MD should interview the member of staff.

5.6 During the interview, the member of staff should be given as much information as possible, the reasons for any proposed suspension, provided that doing so would not interfere with the investigation into the allegation. The interview is not intended to establish the member of staff's innocence or guilt, but given the opportunity for the member of staff to make representations about possible suspension. The member of staff should be given the opportunity to consider any information given to him/her at the meeting and prepare a response, although that adjournment may be brief.

5.8 If the MD considers that suspension is necessary, the member of staff shall be informed that he/she is suspended from duty. Written confirmation of the suspension, with reasons, shall be dispatched as soon as possible and ideally within one working day.

5.9 Where a member of staff is suspended, the MD should address the following issues:

5.9.4 The parents/carers of the person/vulnerable adult making the allegation should be informed of the suspension. They should be asked to treat the information as confidential. Consideration should be given to informing the child making the allegation of the suspension

5.12 The suspension should remain under review in accordance with FSUK disciplinary procedures.

## **6 The Disciplinary Investigation**

6.1 The disciplinary investigation should be conducted in accordance with the existing staff disciplinary procedures.

6.2 The member of staff should be informed of:

6.2.1 The disciplinary charge against him/her.

6.2.2 his/her entitlement to be accompanied or represented by a trade union representative or friend.

6.3 Where the member of staff has been suspended and no disciplinary action is to be taken, the suspension should be lifted immediately, and arrangements made for the member of staff to return to work. It may be appropriate to offer counseling.

6.4 The young people making the allegation and/or their parents should be informed of the outcome of the investigation and proceedings. This should occur prior to the return to FSUK of the member of staff (if suspended).

**7 Allegations without foundation: the following processes should be considered.**

7.2.1 Inform the member of staff against whom the allegation is made orally and in writing that no further disciplinary or child protection action will be taken. Consideration should be given to offering counseling/support.

7.2.2 Inform the parents/carers or vulnerable adult of the alleged victim that the allegation has been made and of the outcome.

7.2.3 Where the allegation was made by a person other than the alleged victim, consideration to be given to informing the parents/carers of that person.

7.2.4 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.

## **8 Records**

8.1 Documents relating to any investigation are retained in a secure place, details also retained on the member of staff's personal confidential file.

### **E Recruitment and Selection Procedures (DBS Procedures)**

FSUK should assess the risk to learners when a new member of staff commences employment.

Such employees must either:

- (a) produce a DBS clearance document from an existing employer (which is less than 12 months old)
- (b) Or submit to our own DBS system operated in conjunction with FSUK.

Employees in (a) must complete a DBS check within 3 months of starting with FSUK.

All staff will be asked to undertake new DBS clearance every 3 years, unless concerns are raised whereupon we will apply for a renewal ASAP. FSUK keep a centralized record of our staff and tutor's DBS References.

#### **The following processes must also be followed:**

- The post or role is to be clearly defined.
- The key selection criteria for the post or role can be identified.
- Vacancies are to be advertised widely to ensure a diversity of applicants.
- Requirement of documentary evidence of academic & vocational qualifications.
- Obtaining of professional and character references.
- A probationary period and supervision of the person should take place
- Verification of previous employment history.

#### **Additional advice and support Abuse or Safeguarding issue Link to Guidance/Advice Source**

- Keeping Children Safe in Education (2020) + update January 2021 (post EU Exit).
- What to do if you're worried a child is being abused: advice for practitioners (2015)
- Working Together to Safeguard Children (2018)
- Designated teacher for looked after children (2018)
- Prevent Duty Guidance for England and Wales (2015)
- CONTEST strategy 2018
- Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (2018)
- The Teachers' Standards (2012)
- Mandatory Reporting of Female Genital Mutilation – procedural information (2015)
- Listening to and involving children and young people (2014)
- **Alternative provision (2016)**
- **Behaviour and discipline in schools (2016)**
- **Children Missing Education (2016)**
- **School behaviour and attendance: parental responsibility measures (2013)**
- **Multi-Agency statutory guidance on female genital mutilation (2016)**
- **Promoting the education of looked-after children (2018)**
- **Supervision of activity with children (2012)**
- **Disqualification under the Childcare Act 2006 (2018)**
- **Education for children with health needs who cannot attend school (2013)**
- **SEND code of practice: 0 to 25 years (2015)**
- **Supporting pupils at school with medical conditions (2015)**
- Sexual violence and sexual harassment between children in schools and colleges (2018)
- Use of Reasonable Force in Schools (2013)
- Searching, Screening and Confiscation Advice (2018)
- Preventing and tackling bullying (2017)
- The Equality Act (2010) and Schools
- The Care Act 2014
- Safeguarding Vulnerable Groups Act 2006
- The Mental Capacity Act 2005 (England and Wales)

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**Learners enrolled on behalf of Prime Further Education Providers.**

Learners enrolled via a funded learning programme on behalf of our Partners detailed below have the right to take any issue up directly with them directly.

**Brighton and Hove City Council**  
**West Sussex County Council**  
**Gravesham Council**

**Brighton & Hove City Council:**

Family Information Service: 01273 293545  
Front Door for Families (Previously MASH): 01273 290400  
**The LADO for Brighton and Hove City Council is:** Darrel Clews, Safeguarding Team, Children's Services, Moulsecomb Hub North Building, Hodshrove Lane, Brighton, BN2 4SE  
**Tel:** 01273 295643

Safeguarding Vulnerable Adults – Access point – 01273 295555

**West Sussex County Council MASH:**

Telephone: 01403 229900  
Out of hours: 0330 2226664/07711 769657  
Email: [MASH@westsussex.gov.uk](mailto:MASH@westsussex.gov.uk)

**Medway Contact details:**

Medway Safeguarding Children's Partnership: 01634 336329  
Children Services Social Care: 01634 334466  
Medway out of hours: 03000 419191  
LADO: 01634 331065

Signed:



Name & Position:

Paul Smith MD

Date:

December 2024

Review Date:

December 2025