

# SAFEGUARDING OF CHILDREN AND ADULTS POLICY

## 1. Introduction

- 1.1 This policy is based on the responsibilities of Seafood Cornwall Training (SCT), under the 2004 Children's Act, specifically Section 11 which places a duty on key people and public bodies, to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children.

## 2. Seafood Cornwall Training Policy commitment

- 2.1 Seafood Cornwall Training believes that all children, young people and adults have the right to be safe, happy and healthy and deserve protection from abuse. Seafood Cornwall Training is committed to safeguarding from harm all children, young people and adults using any of its training services and involved in any of its activities, and to treat them with respect during their dealings with the Company.

## 3. Aim of the Policy

- 3.1 The aims of the policy are to:
- Clarify the roles and responsibilities of all parties within scope of the policy
  - Support the promotion of a safe working environment and a culture of care in which the rights of all children, young people and adults are protected and respected
  - Promote best practice in how tutors and employees interact with children, young people and adults in the training environment
  - Develop clear guidance and procedures for those tutors and employees working with children, young people and adults and ensure through training and support that they are aware of these and able to implement them
  - Provide a framework for developing partnerships with appropriate external bodies to ensure that the policy continues to reflect legal and best practice requirements in respect of the responsibility of care of children, young people and adult

## 4. Scope of the Policy

- 4.1 The policy is in respect of Seafood Cornwall Training's responsibility towards:
- Children and young people are legally defined as any person under the age of 18. From this point, the terms child or children will be used to refer to this group.
  - An adult ( anyone over the age of 18) who;
    - Has needs for care and support (where or not the local authority is meeting any of those needs) and;
    - Is experiencing or is at risk of, experiencing abuse or neglect;
    - and
    - As a result of those care and support needs is unable to protect themselves from either the risk or, or the experience of abuse or neglect

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- The tutors and employees of Seafood Cornwall Training who have dealings with children, young people and adults and who are required to act in a position of trust are to act responsibly and within the law.
  - The employees of Seafood Cornwall Training who, while not required to act in a position of trust, will come into contact with members of these groups on a regular basis during the course of their work.
  - Tutors involved in the provision of training but not employed by Seafood Cornwall Training, including those in organisations with whom Seafood Cornwall has contracts for the delivery of training.
- 4.2 It covers all the functions and services of Seafood Cornwall Training, its staff and contractors.
- 4.3 The policy does not cover health and safety issues related to safeguarding children such as use of equipment or provision of food during training.

### **5. Review**

- 5.1 This policy and the guidance will be reviewed annually or whenever there is a change in the related legislation or when an incident occurs. This will help Seafood Cornwall Training ensure that these documents are up to date and fit for purpose.

### **Who is responsible for protecting children and vulnerable adults?**

Responsibility for the implementation of this policy lies at all levels with the management of Seafood Cornwall Training (SCT).

Management are responsible for ensuring that the company has a policy, which adequately provides protection for children and vulnerable adults in receipt of its training services and for the regular review of this policy in the light of changes to legislation e.g. Data Protection Act, or new legislation or regulation.

SCT are responsible for:

- Identifying those services and personnel that are likely to have an involvement with children and adults.
- Ensuring that those people appointed by Seafood Cornwall Training whose normal duties involve caring for, training, supervising or being in sole charge of children or adults are screened via the Disclosure Baring Service (DBS) process at the appropriate level and are appropriately qualified and/or trained in working with these groups.
- Ensuring that all necessary procedures and practices are in place to provide adequate protection both for the individuals in these groups but also protection for the tutors / employees involved with them.
- Ensuring that tutors / employees dealing with these groups are aware of their responsibilities in this area.

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- Ensuring that external contractors delivering training are aware of and abide by the standards of behaviour expected of tutors while on the premises or at a training location of Seafood Cornwall Training.
- Ensuring that this policy is made available to carers and / or parents of the children and adults to whom Seafood Cornwall Training is providing services.
- Ensuring that any evidence or complaint of abuse or lack of care is reported to the appropriate body.
- Ensuring that proper records are kept of any incidents occurring during training periods and that these are held securely and investigated in accordance with Seafood Cornwall Training's policy on Malpractice (see section i in the SPM).
- Working with other associated agencies to ensure the proper transfer of information relating to dealings with children and vulnerable adults, where necessary.

### **Tutors / Employees:**

All Tutors / employees and particularly those working with children and adults are responsible for:

- Ensuring that they are familiar with and understand the policies and procedures relating to their work with or in the vicinity of children and adults.
- Ensuring that they feel confident in working within this environment and ensuring that they have the knowledge and skills to carry out their tasks in this context.
- Treating all those children and adults with whom they come into contact while carrying out their work equally and with respect.
- Reporting to management any concerns they may have about abuse or a lack of care of children and adults.

### **Guidance Notes:**

#### **What do I do if I think a child or adult is in danger?**

If you think a child or adult is in immediate danger or a crime has been committed then always contact the police on 999. Report your action to management.

Otherwise discuss your concerns with management. If you still have concerns, contact:

- **The Multi Agency Referral Unit**

If your manager does not agree with you that anything further needs to be done but you still have strong concerns that a child or adult is in danger you should still contact Social Services.

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Seafood Cornwall Training believes that all children and adults have the right to be safe, happy and healthy and deserve protection from abuse and will fully support and protect anyone, who in good faith, reports a concern about abuse.

### **What do I do if a child or adult discloses to me that they are being abused?**

#### Do:

- Stay calm.
- Listen carefully
- Find an appropriate, early opportunity to explain that it is likely that the information will need to be shared, but only with people who need to know and who can help.
- Allow the victim to continue at their own pace
- Ask questions for clarification only and at all times avoid asking questions that suggest a particular answer.
- Reassure the victim that they have done nothing wrong in telling you
- Tell them what you will do next and with whom the information will be shared
- After the victim has disclosed, record in writing what was said using the victim's own words as soon as possible. Note the date and time, any names mentioned and to whom the information was given. Ensure the record is signed and dated. Try not to take notes at the time as this can be intimidating.
- Relay this information as soon as possible to the management if the incident involves a member of staff.

#### Do not:

- Dismiss the concern
- Panic
- Allow your shock or distaste to show
- Probe for more information than is offered
- Make promises you cannot keep: such as agreeing not to tell someone else, keeping secrets
- Speculate or make assumptions
- Approach or contact the alleged abuser
- Make negative comments about the accused person
- Pass on the information to anyone other than those with a legitimate "need to know" such as management
- Delegate to others as the victim has specifically chosen you to talk to.

Remember that you are not responsible for deciding whether or not abuse has occurred. This is the task of the police and child or adult protection agencies following referral to them.

### **What do I do if I have suspicions that a colleague may be abusing a child or adult, or not following good practice?**

Any member of staff who suspects that a colleague may be abusing children or adults should act on their suspicions. Action should also be taken if it is felt that colleagues are not following the Seafood Cornwall Training codes of conduct for dealing with children and adults. This action will serve not only to protect children and adults, but also colleagues from false accusations

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- Write down the details of the incident following the guidelines in the section on recording set out in these procedures.
- Pass this report to management at the earliest opportunity.
- The manager should then take appropriate action to ensure the safety of the child or adult and any other people who may be at risk.
- The matter should then be discussed with the company directors who will then consider whether the matter is an issue relating to poor practice, or to abuse.
- If the matter relates to poor practice, procedures relating to misconduct should be followed. If the matter relates to abuse the matter should be referred to Social Services who may involve the Police, and the employee must be suspended pending the outcome of an investigation into the allegations (carried out by social services).

Seafood Cornwall Training acknowledges that this is an extremely sensitive issue for staff and assures all staff and persons working on its behalf that it will fully support and protect anyone, who in good faith, reports a concern that a colleague is, or may be, abusing a child or adult.

### **Should I tell the parents/carers of the child or adult about my concerns?**

There is always a commitment to work in partnership with parents/carers where there are concerns about their children or adults in their care and in most circumstances it would be important to talk to parents/carers to clarify any initial concerns. For example if a child or adult seemed withdrawn, there may be a reasonable explanation; they may have experienced an upset in the family.

**BUT** if you are suspicious that the parents or carer may be the abuser or you believe that the parent/carer may not be able to respond appropriately to the situation, speaking to them regarding the matter might place the child or adult at greater risk. You should report the suspicion to your manager and advice must be sought from Social Services with respect to consulting parents/carers.

### **What information should I record?**

In all situations, including those in which the cause for concern arises from a disclosure made in confidence, it is vitally important to record the details of an allegation or reported incident, regardless of whether or not the concerns are shared with a statutory agency.

As far as possible an accurate note should be made of:

- The date and time of the incident and disclosure
- The parties who were involved
- What was said and done by whom
- Description of any visible injuries or bruising

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- Any further action taken by Seafood Cornwall Training to investigate the matter
- Any further action e.g. the suspension of a tutor / employee
- Where relevant, reasons why there was no referral to a statutory agency.
- The full name of the person/s reporting and to who reported.

The report should be stored securely and shared only with those who need to know. All referrals made should be confirmed in writing and followed up with a copy of the incident report within 24hrs. Social Services should acknowledge your written referral within one working day of receiving it so if you have not heard back within 3 working days, contact Social Services again.

You should also record the Social Services member of staff to whom concerns were passed and the date and time of the call and subsequent letters sent.

### **What do I do if I am asked for information by another organisation?**

#### **If the information relates to a child:**

The legal principle that 'the welfare of the child is paramount' means that the considerations of confidentiality that might apply to other situations within Seafood Cornwall Training should not be allowed to override the right of the child to be protected from harm.

However every effort should be made to ensure that confidentiality is maintained for all concerned both when the allegation is made and whilst it is being investigated.

Seafood Cornwall Training has a duty to share information with other agencies if requested in connection with an assessment of a child's needs under s17 of the Children Act 1989 or an enquiry under s47 of that Act or in connection with court proceedings.

Although the Data Protection Act 1998, Human Rights Act 1998 or common law duty of confidence would need to be considered the welfare of the child would normally override the need to keep the information confidential.

#### **If the information relates to an adult:**

The same principle as for child protection applies, that the safety and wellbeing of the adult overrides considerations of confidentiality.

At present, the legal framework surrounding adult abuse is fragmented and there is no single duty to for us to provide information as there is in child protection cases. Nevertheless Seafood Cornwall Training adheres to the Cornwall Social Services lead Multi-Agency Code of Practice for the Protection of Adults which is its self based on No Secrets, the Department of Health guidance.

If you are asked by another agency to share information that relates to the assessment of an adult you should comply.

### **Where can I find more information?**

- The Multi Agency Referral Unit Cornwall on 0300 123 1116