

Hartlepool Aspire Trust

(Catcote Academy & Catcote Futures)

Safeguarding Adults Policy



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1 Introduction

'Safeguarding is everyone's business'

Catcote Futures is committed to creating and maintaining a safe and positive environment and accepts its responsibility to safeguard the welfare of all adults involved in Catcote Futures in accordance with the Care Act 2014 and other national legislation and relevant, national and local guidance. Whilst protecting adults at risk of abuse or harm will always be the main priority of Catcote Futures we recognise the importance of raising awareness in order to prevent abuse and neglect and we share collective responsibility for ensuring that all efforts to keep people safe are effective and well-coordinated.

Catcote Futures is committed to creating a culture of zero-tolerance of harm to adults which necessitates: the recognition of adults who may be at risk and the circumstances which may increase risk; knowing how adults abuse; knowing how exploitation or neglect manifests itself; and being willing to report safeguarding concerns. This extends to recognising and reporting harm experienced anywhere, including within our activities, within organised community or voluntary activities, in the community, in the person's own home and in any care setting.

Everyone has a responsibility to take a 'Think Family' approach. 'Think Family' is an approach that requires all agencies to consider the needs of the whole family from working with individual members of it, making sure that support provided by children's, adults and family services is coordinated and takes account of how individual problems effect the whole family.

Catcote Futures will encourage and support partner organisations, professionals, internal and external agencies such as work experience providers, to adopt and demonstrate their commitment to the principles and practice of equality as set out in this safeguarding adult policy and the Teeswide Safeguarding Adults Board (TSAB).

2 Purpose

The purpose of this policy is to outline the principles and definitions that underpin safeguarding work and to describe the statutory duties set out under the Care Act 2014. The policy reflects the Teeswide Inter Agency Adults Policy and Procedures and also has due regard to other legislation and statutory guidance included in section 5, but not limited to.

3 Scope

This policy sets out the responsibilities of Catcote Futures to protect adults from abuse or neglect. The safeguarding duties apply to any adult who:

- has needs for care and support (whether or not 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.

The adult experiencing, or at risk of abuse or neglect will hereafter be referred to as the **adult** throughout this policy document.

For the purposes of this policy an adult is a person, aged 18 years and over who is at a greater risk of suffering abuse or neglect because of physical, mental, sensory, learning or cognitive illnesses or disabilities; and substance misuse or brain injury, and includes:

- those who purchase their education and care through personal budgets
- those whose education and care is funded by Local Authorities and/or health services
- those who fund their own education and care
- those aged between 18 and 25 years and in receipt of children's services

This policy is not applicable to adults who are in prison or living in approved premises on license.

4 Policy Statement

Trustees and staff within Catcote Futures work in partnership with Teeswide Safeguarding Adult Board and Durham Safeguarding Adults Partnership to safeguard and promote the wellbeing and independence of adults attending Catcote Futures from the Boroughs of Hartlepool, Middlesbrough, Redcar & Cleveland, Stockton-on-Tees and County Durham, who are experiencing, or at risk of abuse or neglect.

5 Legal Framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to the following:

N.B It has also been developed alongside Teeswide Adult Safeguarding Board policy and procedures

Legislation

- The Care Act 2014
- Domestic Violence, Crime and Victims (Amendment) Act 2012
- The Mental Health Act 2015
- The Serious Crime Act 2015
- The Modern Slavery Act 2015

- The Protection of Freedoms Act 2012
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005 (including Deprivation of Liberty Safeguards)
- Sexual Offences Act 2003
- The Human Rights Act 1998
- The Data Protection Act 1998
- The UK General Data Protection Regulation (UK GDPR)
- Criminal Justice and Courts Act 2015
- The Education (School Teachers Appraisal) Regulations 2012 (as amended)
- Voyeurism (Offences) Act 2019

Statutory Guidance

- Care Act 2014: Care and Support Statutory Guidance (updated 2018)
- Statutory Guidance on Female Genital Mutilation
- HM Government (2021) 'Channel Duty Guidance: Protecting people vulnerable to being drawn into terrorism'
- DfE (2021) 'Keeping Children safe in education 2021'
- DfE (2015) 'The Prevent Duty'

Non-statutory Guidance

- DfE (2018) 'Information Sharing'
- DfE (2021) 'Sexual Violence and sexual harassment between children in schools and colleges'
- DfE (2021) 'Recruit teachers from overseas'
- DfE (202) 'Sharing nudes and semi nudes: advice for education settings working with children and young people'

This policy operates in conjunction with the following college and trust wide policies:

- Prevent Duty Policy
- Peer on Peer Abuse Policy
- Ant bullying Policy
- Ready to Learn Policy
- Online Safety Policy
- Data Protection Policy
- Whistleblowing Policy
- Code of Conduct Policy
- Safer Recruitment Policy
- Allegations of Abuse Against Staff Policy
- Ready to Learn Policy

6 Who this Policy Applies To

This policy applies to all people working or volunteering with adults within Catcote Futures. At Catcote Futures we have Catcote Futures Learners (those who are following accreditation through the ESFA), Catcote Aspire Learners (those who are on a study programme funded through Health, Social Care or using a personal budget) and adult learners at the sixth form college at Catcote Academy. This Safeguarding Adults Policy refers to all adult learners whether they are Catcote Futures, Catcote Aspire or Catcote Academy 6th form learners and they will be referred to throughout the policy as Catcote Futures.

7 Key Roles and Responsibilities

All staff have a responsibility to:

- Consider, at all times, what is in the best interests of the young person.
- Maintain an attitude of 'it could happen here' where safeguarding is concerned.
- Provide a safe environment in which adults can learn.
- Be aware of the college's systems which support safeguarding, including any policies, procedures, information and training provided upon induction.
- Be aware of the role and identity of the DSL and deputy DSLs.
- Undertake safeguarding training, including online safety training, during their induction – this will be regularly updated.
- Receive and understand adult protection and safeguarding (including online safety) updates, e.g. via email, as required, and at least annually.
- Be aware of and understand the procedure to follow in the event that a adult confides they are being abused, exploited or neglected.
- Maintain appropriate levels of confidentiality when dealing with individual cases.
- Reassure victims that they are being taken seriously, that they will be supported, and that they will be kept safe.
- Speak to the DSL if they are unsure about how to handle safeguarding matters.
- Be aware of safeguarding issues that can put adults at risk of harm.
- Be aware of behaviours linked to issues such as drug-taking, alcohol misuse, and sharing indecent images, and other signs that adults may be at risk of harm.

Teachers, including the head of college and CEO, have a responsibility to:

- Safeguard adult's wellbeing and maintain public trust in the teaching profession as part of their professional duties, as outlined in the 'Teachers' Standards'.

The head of college and CEO has a duty to:

- Ensure that the policies and procedures adopted by the Trustee board, particularly concerning referrals of cases of suspected abuse and neglect, are followed by staff.
- Provide staff with the appropriate policies and information upon induction.

The Trustees board has a duty to:

- Take strategic leadership responsibility for the college's safeguarding arrangements.
- Ensure that the college complies with its duties under the above adult protection and safeguarding legislation.
- Guarantee that the policies, procedures and training opportunities in the college are effective and comply with the law at all times.
- Confirm that the college's safeguarding arrangements take into account the procedures and practices of the LA as part of the Teeswide Safeguarding Adult Board inter-agency policy and procedures.
- Ensure that staff working directly with children read at least Part one of KCSIE 2021.
- Ensure that staff who do not work directly with adults read either Part one or Annex A of KCSIE.
- Ensure that all staff receive safeguarding and adult protection training updates, e.g. emails, as required, but at least annually.
- Ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities in regard to safeguarding adults.
- Ensure a senior board level lead takes leadership responsibility for safeguarding arrangements.
- Appoint a member of staff from the SLT to the role of DSL as an explicit part of the role-holder's job description.
- Appoint one or more deputy DSLs to provide support to the DSL, and ensure that they are trained to the same standard as the DSL and that the role is explicit in their job description(s).
- Facilitate a whole-college approach to safeguarding; this includes ensuring that safeguarding and adult protection are at the forefront and underpin all relevant aspects of process and policy development.
- Where there is a safeguarding concern, ensure the adult's wishes and feelings are taken into account when determining what action to take and what services to provide.
- Ensure systems are in place so that adults can confidently report abuse, knowing that their concerns will be treated seriously, and they can safely express their views and give feedback; these systems will be well-promoted, easily understood, and easily accessible.
- Ensure that staff have due regard to relevant data protection principles that allow them to share and withhold personal information.
- Ensure that a member of the governing board is nominated to liaise with the LA and/or partner agencies on issues of child protection and in the event of allegations of abuse made against the head of college, CEO or another Trustee.
- Make sure that learners are taught about safeguarding, including protection against dangers online (including when they are online at home), through teaching and learning opportunities.
- Adhere to statutory responsibilities by conducting pre-employment checks, taking proportionate decisions on whether to ask for any checks beyond what is required.

- Ensure that staff are appropriately trained to support students to be themselves at school, e.g. if they are LGBTQ+.
- Ensure the college has clear systems and processes in place for identifying possible mental health problems, including clear routes to escalate concerns and clear referral and accountability systems.
- Guarantee that volunteers are appropriately supervised.
- Make sure that at least one person on any appointment panel has undertaken safer recruitment training.
- Certify that there are procedures in place to handle allegations against staff, supply staff, volunteers and contractors.
- Confirm that there are procedures in place to make a referral to the DBS and the Teaching Regulation Agency (TRA), where appropriate, if a person in regulated activity has been dismissed or removed due to safeguarding concerns or would have been had they not resigned.
- Guarantee that there are procedures in place to handle learners' allegations against other learners.
- Ensure that appropriate disciplinary procedures are in place, as well as policies pertaining to the behaviour of learners and staff.
- Ensure that procedures are in place to eliminate unlawful discrimination, harassment and victimisation, including those in relation to peer-on-peer abuse.
- Guarantee that there are systems in place for learners to express their views and give feedback.
- Ensure that all members of the Trustee board have been subject to an enhanced DBS check.
- Create a culture where staff are confident to challenge senior leaders over any safeguarding concerns.

The DSL has a duty to:

- Take lead responsibility for safeguarding and adult protection, including online safety.
- Provide advice and support to other staff on safeguarding and adult protection matters.
- Ensure each member of staff has access to and understands the college's Adult Safeguarding Policy and procedures – this will be discussed during the staff induction process.
- Manage liaison with, and referrals to, external agencies for example adult social-care services and police.
- Take part in strategy discussions and inter-agency meetings, and/or support other staff to do so.
- Contribute to the assessment of adult learners, and/or support other staff to do so.
- During term time, be available during college hours for staff to discuss any safeguarding concerns.
- Arrange, alongside the college, adequate and appropriate cover for any activities outside of college hours or terms.

- Refer cases to:
 - Teeswide Safeguarding Adults Board or Durham Safeguarding Adults where abuse and neglect are suspected, and where appropriate to CSCS if younger siblings are at risk.
 - To the Channel programme where radicalisation concerns arise, and support staff who make referrals to the Channel programme.
 - To the DBS where a person is dismissed or has left due to harm, or risk of harm, to a child.
 - To the police where a crime may have been committed, in line with the National Police Chiefs' Council (NPCC) guidance.
- Act as a source of support, advice and expertise for all staff.
- Act as a point of contact with the safeguarding partners.
- Liaise with the CEO to inform them of issues, especially regarding ongoing enquiries under section 42 of the Children Act 2014 and any police investigations.
- Liaise with the deputy DSL(s) to ensure effective safeguarding outcomes.
- Liaise with the CEO/Head of Corporate Services, the case manager and the LA designated officer(s) (LADO) for adult protection concerns in cases concerning staff.
- Liaise with the senior mental health lead (Anne Johnson) and, where available, the Mental Health Support Team, where safeguarding concerns are linked to mental health.
- Work with the CEO and relevant strategic leads, taking lead responsibility for promoting educational outcomes by knowing the welfare, safeguarding and adult protection issues that adults in need are experiencing, or have experienced, and identifying the impact that these issues might be having on their attendance, engagement and achievement at college.
- Ensure that safeguarding files are kept up-to-date and only accessed by those who need to do so.
- Work with the Trustee board to ensure the college's Safeguarding Adult Policy is reviewed annually, and the procedures are updated and reviewed regularly.
- Ensure the college's Safeguarding Policy is available publicly.
- Link with safeguarding partner arrangements to make sure that staff are aware of the training opportunities available and the latest local policies on safeguarding.
- Undergo training, and update this training at least every two years.
- Obtain access to resources and attend any relevant or refresher training courses.
- Understand the importance of information sharing, including within college, with other colleges, and with the safeguarding partners, other agencies, organisations and practitioners.
- Understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the UK GDPR.
- Keep detailed, accurate, secure written records of concerns and referrals, and understand the purpose of this record-keeping.

Adult who has been or is at risk of abuse or neglect

The adult must be involved from the beginning of safeguarding procedures unless there are exceptional circumstances, and where possible their consent should be sought prior to concerns being shared on an inter-agency basis. The adult's (or their representative's) views and wishes including their desired outcomes must be considered as part of the ongoing procedures (Enquiry).

Family involvement

Where the adult has mental capacity to make decisions about Safeguarding Concerns, involvement of family, friends or informal carers should be agreed with the adult. In any case where the adult does not have mental capacity, family, friends or informal carers must be consulted in accordance with the Mental Capacity Act 2005.

The Local Authority has a duty to involve an appropriate person to facilitate an adult's involvement in the safeguarding adult's process if it is deemed that they would have substantial difficulty in participating themselves.

Advocacy

As part of the safeguarding adult's procedure, consideration must be given as to whether the adult may benefit from the support of an independent advocate.

Where the adult has substantial difficulty in participating in the safeguarding adults process, and there is no other appropriate person to assist them under the Care Act 2014, independent advocacy must be arranged by the Local Authority. The details of local arrangements for advocacy are held by each Local Authority.

Appointed persons:

Barry Currell (Head of College) - DSL at Catcote Futures

Philip Thomson (located at Warren Road site) and **Amanda Metcalf** (located at the Employment Training Hub) - Deputy DSL at Catcote Future

Gillian Durkin - DSL at Catcote Academy/Sixth Form

Anne Johnson – Senior Mental Health Lead across the Trust

Georgie Jones - Trustee linked to safeguarding at Catcote Futures

Gillian Fletcher- Trustee linked to safeguarding at Catcote Academy

Helen Gordon – Chair of Trustees (HAT)

Graham Jones – Chair of Trustees (Caticote Futures)

8 What We Mean by Adult Safeguarding

The Care Act 2014 Guidance describes safeguarding as the means of protecting an adult's right to live in safety, free from abuse and neglect. It further states that it is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. Within this context, the guidance recognises that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.

Abuse and neglect can take many forms and it is important that staff working within the Trust should not be constrained in their view of what constitutes abuse or neglect, and the circumstances of an individual case should always be considered.

Abuse or Neglect may be:

- a single act or repeated acts
- multiple in form
- a deliberate act of neglect or a failure to act
- an opportunistic act or a form of serial abusing where the perpetrator seeks out and grooms the individual(s)

The Department of Health Care and Support Statutory Guidance issued under the Care Act 2014 sets out the different types of patterns of abuse and neglect, though stresses that the list is not exhaustive, and describes the different circumstances in which they may take.

Types of Abuse and Neglect

Physical Abuse	Financial or Material Abuse
Including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.	Including 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.
Sexual Abuse	Psychological Abuse

<p>Including 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.</p>	<p>Including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.</p>
<p>Modern Slavery</p>	<p>Discriminatory Abuse</p>
<p>Encompasses slavery, human trafficking, forced 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.</p>	<p>Including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.</p>
<p>Organisational Abuse</p>	<p>Neglect and Acts of Omission</p>
<p>Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.</p>	<p>Including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating</p>
<p>Self-Neglect</p>	<p>Domestic Abuse</p>
<p>This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.</p>	<p>Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can be, but not limited to: psychological, sexual, financial and emotional.</p>

Please also refer to appendix 2 for further definitions

9 Signs and Indicators of Abuse and Neglect

Abuse can take place in any context and by all manner of perpetrator. Abuse may be inflicted by anyone who an adult comes into contact with. College staff, workers or volunteers may suspect that an adult is being abused or neglected outside of the college setting. There are many signs and indicators that may suggest someone is being abused or neglected, these include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their time in college.
- Someone losing or gaining weight / an unkempt appearance. This could be a learner whose appearance becomes unkempt, does not wear suitable clothes and deterioration in hygiene.
- A change in the behaviour or confidence of a person. For example, a learner may be looking quiet and withdrawn when a certain person i.e. brother, comes to collect them from college, in contrast to their personal assistant whom they might greet with a smile.
- They may self-harm.
- They may have a fear of a particular group or individual.
- They may tell you / another person they are being abused – i.e. a disclosure.

10 Principles

The guidance given in the policy and procedures is based on the following principles:

- All adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor practice and to participate in an enjoyable and safe environment.
- Catcote Futures will seek to ensure that our service is inclusive and make reasonable adjustments for any ability, disability or impairment, we will also commit to continuous development, monitoring and review.
- The rights, dignity and worth of all adults will always be respected.
- We recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, in particular those adults with care and support needs.
- We all have a shared responsibility to ensure the safety and well-being of all adults and will act appropriately and report concerns whether these concerns arise within Catcote Futures or in the wider community.
- All allegations will be taken seriously and responded to quickly in line with this policy and the Trust's 'Allegation against staff' Policy.

Six key principles underpin all safeguarding adult work:

The Department of Health Care and Support Statutory Guidance issued under the Care Act 2014, describes six principles that underpin all safeguarding adult work which applies to all sectors and settings including care and support services, further education colleges, commissioning, regulation and provision of health and care services, social work, healthcare, welfare benefits, housing, wider Local Authority functions and the criminal justice system. These principles should always inform the ways in which professionals and other staff work with adults.

- **Empowerment** - People being supported and encouraged to make their own decisions and informed consent.
"I am asked what I want as the outcomes 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 appropriate to the risk presented.
"I am sure that the professionals will work in my interest, as I see them 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** – Local solutions through services working with their communities. 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** – Accountability and transparency in delivering safeguarding.
"I understand the role of everyone involved in my life and so do they."

Wellbeing Principle

The concept of wellbeing is threaded throughout the Care Act and it is one that is relevant to adult safeguarding. Wellbeing is different for each of us however the Act sets out broad categories that contribute to our sense of wellbeing. By keeping these themes in mind, we can all ensure that adult participants can take part in suitable experiences at Catcote Futures.

- Personal dignity (including intimate care and the treatment of all individuals with respect)
- Physical and mental health and emotional wellbeing
- Protection from abuse and neglect
- Control by the individual over their day-to-day life (Providing opportunities for individuals to be empowered to make decisions)
- Participation in work, education, training and social enrichment
- Social and economic wellbeing
- The individual's contribution to society.

11 Making Safeguarding Personal

'Making Safeguarding Personal' means that adult safeguarding should be person led and outcome focused. It engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances their involvement, choice and control. As well as improving quality of life, well-being and safety.

Wherever possible, discuss safeguarding concerns with the adult to get their view of what they would like to happen and keep them involved in the safeguarding process, seeking their consent to share information outside of the organisation where necessary.

'What good is it making someone safer if it merely makes them miserable?' – Lord Justice Mundy, "What Price Dignity?" (2010)

What this means in practice is that adults should be more involved in the safeguarding process. Their views, wishes, feelings and beliefs must be taken into account when decisions are made.

The Care Act 2014 builds on the concept, stating that "We all have different preferences, histories, circumstances and lifestyles so it is unhelpful to prescribe a process that must be followed whenever a concern is raised."

However, the Act is also clear that there are key issues that should be taken into account when abuse or neglect are suspected, and that there should be clear guidelines regarding this.

<https://www.local.gov.uk/topics/social-care-health-and-integration/adult-social-care/making-safeguarding-personal>

12 Capacity – Guidance on Making Decisions

The issue of capacity or decision making is a key one in safeguarding adults. It is useful for organisations to have an overview of the concept of capacity.

We make many decisions every day, often without realising. We make so many decisions that it's easy to take this ability for granted.

But some people are only able to make some decisions, and a small number of people cannot make any decisions. Being unable to make a decision is called "lacking capacity".

To make a decision we need to:

- Understand information
- Remember it for long enough
- Think about the information
- Communicate our decision

A person's ability to do this may be affected by things like learning disability, dementia, mental health needs, acquired brain injury, and physical ill health.

The Mental Capacity Act 2005 (MCA) states that every individual has the right to make their own decisions and provides the framework for this to happen.

The MCA is about making sure that people over the age of 16 have the support they need to make as many decisions as possible.

The MCA also protects people who need family, friends, or paid support staff to make decisions for them because they lack capacity to make specific decisions.

Our ability to make decisions can change over the course of a day.

Here are some examples that demonstrate how the timing of a question can affect the response:

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

In each of these examples, it may appear as though the person cannot make a decision. But later in the day, presented with the same decision, they may be able to at least be involved.

The MCA recognises that capacity is decision-specific, so no one will be labelled as entirely lacking capacity. The MCA also recognises that decisions can be about big life-changing events, such as where to live, but equally about small events, such as what to wear on a cold day.

To help you to understand the MCA, consider the following five points:

1. Assume that people are able to make decisions, unless it is shown that they are not. If you have concerns about a person's level of understanding, you should check this with them, and if applicable, with the people supporting them.
2. Give people as much support as they need to make decisions. You may be involved in this – you might need to think about the way you communicate or provide information, and you may be asked your opinion.
3. People have the right to make unwise decisions. The important thing is that they understand the implications. If they understand the implications, consider how risks might be minimised.
4. If someone is not able to make a decision, then the person helping them must only make decisions in their "best interests". This means that the decision must be what is best for the person, not for anyone else. If someone was making a decision on your behalf, you would want it to reflect the decision you would make if you were able to.
5. Find the least restrictive way of doing what needs to be done.

Remember:

- You should not discriminate or make assumptions about someone's ability to make decisions, and you should not pre-empt a best-interest's decision merely on the basis of a person's age, appearance, condition, or behaviour.
- When it comes to decision-making, you could be involved in a minor way, or asked to provide more detail. The way you provide information might influence a person's ultimate decision. A person may be receiving support that is not in-line with the MCA, so you must be prepared to address this.

13 Consent and Information Sharing

Staff must share safeguarding concerns with the college's DSL or DDSL's lead in the first instance, except in emergency situations. As long as it does not increase the risk to the individual, the staff member should explain to them that it is their duty to share their concern with the DSL.

The DSL will then consider the situation and plan the actions that need to be taken, in conjunction with the adult at risk and in line with this policy and TSAB safeguarding adults board policy and procedures.

To make an adult safeguarding referral a call will be made to the local safeguarding adults team. If it is thought that a referral needs to be made to the safeguarding adults team, consent should be sought where possible from the adult at risk.

Individuals may not give their consent to the sharing of safeguarding information with the safeguarding adult's team for a number of reasons. Reassurance, appropriate support and revisiting the issues at another time may help to change their view on whether it is best to share information.

If they still do not consent, then their wishes should usually be respected. However, there are circumstances where information can be shared without consent such as when the adult does not have the capacity to consent, it is in the public interest because it may affect other people or a serious crime has been committed. This should always be discussed with your DSL and the local authority safeguarding adults team.

If someone does not want you to share information outside of the organisation or you do not have consent to share the information, ask yourself the following questions:

- Is the adult placing themselves at further risk of harm?
- Is someone else likely to get hurt?
- Has a criminal offence occurred? This includes: theft or burglary of items, physical abuse, sexual abuse, forced to give extra money for lessons (financial abuse) or harassment.
- Is there suspicion that a crime has occurred?

If the answer to any of the questions above is 'yes' - then you can share without consent and need to share the information.

When sharing information there are seven Golden Rules that should always be followed.

1. Seek advice if in any doubt
2. Be transparent - The Data Protection Act (DPA) is not a barrier to sharing information but to ensure that personal information is shared appropriately; except in circumstances where by doing so places the person at significant risk of harm.
3. Consider the public interest - Base all decisions to share information on the safety and well-being of that person or others that may be affected by their actions.
4. Share with consent where appropriate - Where possible, respond to the wishes of those who do not consent to share confidential information. You may still share information without consent, if this is in the public interest.

5. Keep a record - Record your decision and reasons to share or not share information.
6. Accurate, necessary, proportionate, relevant and secure - Ensure all information shared is accurate, up-to-date; necessary and share with only those who need to have it.
7. Remember the purpose of the Data Protection Act (DPA) is to ensure personal information is shared appropriately, except in circumstances where by doing so may place the person or others at significant harm.

14 What to do if you Have a Concern or Someone Raises Concerns with you?

NB Please also refer to Appendix One 'Safeguarding Reporting Process'

- It is not your responsibility to decide whether or not an adult has been abused. It is however everyone's responsibility to respond to and report concerns.
- If you are concerned someone is in immediate danger, contact the police on 999 straight away. Where you suspect that a crime is being committed, you must involve the police.
- If you have concerns and/or you are told about possible or alleged abuse, poor practice or wider welfare issues you must report this to the Catcote Futures Designated Safeguarding Lead; Barry Currell or if not available, to the Deputy Designated Safeguarding Leads (DDSL) Phil Thompson or Amanda Metcalf. If the DDSLs are not available report to the DSL at Catcote Academy: Gill Durkin. If any of the Safeguarding Leads are implicated then report to Hartlepool Aspire Trust CEO: Lisa Greig.
- When raising your concern with the DSL, remember Making Safeguarding Personal. It is good practice to seek the adult's views on what they would like to happen next and to inform the adult you will be passing on your concern and it is important when considering your concern that you also ensure that you keep the person informed about any decisions and action taken about them and always consider their needs and wishes. In addition to verbally reporting your concern to the DSL, you must also record your concern using CPOMS.
- When recording on CPOMS state what the person has said using his/her own words, when it was disclosed, where it was disclosed and who was present as soon as practicable (this must be on the same day).
- Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you record is accurate.
- Be mindful of the need to be confidential at all times. This information must only be shared with your Designated Safeguarding Lead and others only on a 'need to know' basis.

15 Related Policies, Procedures and Safeguarding Offences

Safeguarding Children

Local Child Protection Procedures apply to people who are under the age of 18. More information can be found at: [Tees Safeguarding Children Procedures](#)

A Teeswide protocol is in place to outline the working arrangements between adults and children workforce in relation to safeguarding issues. [Think Family guidance](#)

Animal Cruelty: Links between animal abuse, adult abuse, child abuse and domestic abuse

Where serious animal abuse has occurred in a household it may indicate an increased likelihood that some other form of violence is occurring and that children and/or adults may be at risk of harm. Violence against pets is also used in some cases to coerce, control and intimidate adults and children to remain in, or be silent about, their abusive situation.

If a child is cruel to animals this may be an indicator, in some cases, that serious neglect and abuse have been inflicted on the child.

Professionals working with adults, children and families should incorporate questions and be observant about the care and treatment of family pets in their assessments of adults, children and their families, as this may provide useful information about family functioning and/or violence within the household.

PREVENT

The Counter-Terrorism and Security Act 2015, incorporates a duty for those authorities listed in Schedule 6 of the Act to have due regard to the need to prevent people from being drawn into terrorism. Authorities listed in Schedule 6 of the Act include; Local Authorities, Health Trusts, Foundation Trusts, Prisons, Schools and educational establishments. The Act makes provision in relation to terrorism and specifies that agencies must monitor their PREVENT activity and evidence that mechanisms are in place to identify risk, to record potential risks, to raise awareness and incorporate appropriate training. PREVENT aims to stop people becoming terrorists or supporting terrorism.

A Counter Terrorism Local Profile is produced annually by the Police and across Tees a PREVENT action plan has been developed. Part of this action plan relates to the Channel Programme. This highlights the need for Local Authorities to liaise with the appropriate agencies if they have concerns regarding vulnerable people whom they believe have the potential to be influenced or radicalised. In the event of any concerns being highlighted a 'Channel Panel' is convened, which brings together the necessary partner agencies, including Local Authorities, Police and CCGs.

The PREVENT/ Channel referral process can be found here: [Referral process](#)

Hate Crime

Hate crime involves any criminal offence which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a personal characteristic. The definition covers five main strands:

- disability
- gender identity
- race
- religion or faith
- sexual orientation

Cleveland Police has launched a new website for victims of hate crime which includes an online reporting form to enable victims to report hate crime online. The website, called True Vision, is supported by all police forces in England, Wales and Northern Ireland and provides information for victims and the public about what hate crime is and why it is important to report it, together with setting out the range of ways hate crimes can be reported, including via a new online reporting form. The site also provides links to organisations that can offer support and advice on hate crime related issues and can be accessed at: [True Vision](#).

Mate Crime

Mate Crime is the exploitation, abuse or theft from an adult by those they consider to be their friends. Those that commit such abuse or theft are often referred to as 'fake friends'." Mate crime is most prevalent when the victim suffers with a mental disability and is especially common when that disability is Autism or Asperger's.

Willful Neglect

An intentional or deliberate omission or failure to carry out an act of care by someone who has care of a person who lacks (or whom the person reasonably believes lacks) capacity to care for themselves. Section 44 of the Mental Capacity Act introduced a new offence of willful neglect of a person who lacks capacity.

Cyber Bullying

Cyber bullying occurs when someone repeatedly makes fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming, damaging, humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying, or bullying related to special educational needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.

Forced Marriage

Forced marriage is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-Social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry. The forced marriage of adults with learning disabilities occurs when the adult does not have the capacity to consent to the marriage.

Radicalisation

The aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

Peer on Peer abuse

The college has a zero-tolerance approach to abuse, including peer-on-peer abuse. All staff will be aware that peer-on-peer abuse can occur between pupils of any gender, both inside and outside of school, as well as online. All staff will be aware of the indicators of peer-on-peer abuse, how to identify it, and how to respond to reports. All staff will also recognise that even if no cases have been reported, this is not an indicator that peer-on-peer abuse is not

occurring. All staff will speak to the DSL if they have any concerns about peer-on-peer abuse.

All staff will understand the importance of challenge inappropriate behaviour between peers, and will not tolerate abuse as “banter” or “part of growing up”.

Peer-on-peer abuse can be manifested in many different ways, including:

- Bullying, including cyberbullying and prejudice-based or discriminatory bullying.
- Abuse in intimate personal relationships between peers.
- Physical abuse – this may include an online element which facilitates, threatens and/or encourages physical abuse.
- Sexual violence – this may include an online element which facilitates, threatens and/or encourages sexual violence.
- Sexual harassment, including online sexual harassment, which may be standalone or part of a broader pattern of abuse.
- Causing someone to engage in sexual activity without consent.
- The consensual and non-consensual sharing of nude and semi-nude images and/or videos.
- Up skirting.
- Initiation- and hazing-type violence and rituals, which can include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group, and may also include an online element.

All staff will be clear as to the college’s policy and procedures regarding peer-on-peer abuse and the role they have to play in preventing it and responding where they believe a learner may be at risk from it.

All staff will be made aware of the heightened vulnerability of LGBTQ+ learners, who evidence suggests are also more likely to be targeted by their peers. In some cases, learners who are perceived to be LGBTQ+, regardless of whether they are LGBTQ+, can be just as vulnerable to abuse as LGBTQ+ learners. The college’s response to sexual violence and sexual harassment between learners of the same sex will be equally as robust as it is for incidents between learners of the opposite sex.

Learners will be made aware of how to raise concerns or make a report and how any reports will be handled. This includes the process for reporting concerns about friends or peers. Learners will also be reassured that they will be taken seriously, be supported, and kept safe.

The college’s procedures for managing allegations of peer-on-peer abuse are outlined in the Peer-on-peer Abuse Policy. Staff will follow these procedures, as well as the procedures outlined in the college’s Anti-Bullying Policy, where relevant.

16 Concerns about Staff and Safeguarding Practices

If a staff member has concerns about another member of staff (including supply staff and volunteers), it will be raised with the head of college and CEO. If the concern is with regards to the head of college this will be raised with the CEO and if the concern is about the CEO it will be referred to the chair of Trustees: Graham Jones.

Any concerns regarding the safeguarding practices at the college will be raised with the SLT, and the necessary whistleblowing procedures will be followed, as outlined in the Whistleblowing Policy. If a staff member feels unable to raise an issue with the SLT, they should access other whistleblowing channels as detailed in the policy.

17 Allegations of Abuse Against Staff

All allegations against staff, supply staff, volunteers and contractors will be managed in line with the Trust's 'Allegations of Abuse Against Staff Policy' – a copy of which will be provided to, and understood by, all staff. The college will ensure all allegations against staff, including those who are not employees of the college, are dealt with appropriately and that the college liaises with the relevant parties.

When managing allegations against staff, the college will recognise the distinction between allegations that meet the harms threshold and allegations that do not, also known as "low-level concerns", as defined in the Allegations of Abuse Against Staff Policy. Allegations that meet the harms threshold include instances where staff have:

- Behaved in a way that has harmed a young person, or may have harmed a young person.
- Committed or possibly committed a criminal offence against or related to a adult.
- Behaved towards an adult in a way that indicates they may pose a risk of harm to adults.
- Behaved, or may have behaved, in a way that indicates they may not be suitable to work with adults.

18 Safer Recruitment

The Trust's full policy and procedures for safer recruitment are outlined in the Safer Recruitment Policy.

An enhanced DBS check with barred list information will be undertaken for all staff members engaged in regulated activity.

The Trustees board will conduct the appropriate pre-employment checks for all prospective employees, including internal candidates and candidates who have lived or worked outside the UK.

The appropriate DBS and suitability checks will be carried out for all Trustees, volunteers, and contractors.

Following appointment, consideration will be given to staff and volunteers' ongoing suitability – to prevent the opportunity for harm to children or placing children and young people at risk.

The college will refer to the DBS anyone who has harmed a young person or poses a risk of harm to a young person, or if there is reason to believe the member of staff has committed

an offence and has been removed from working in regulated activity. The duty will also apply in circumstances where an individual is deployed to another area of work that is not in regulated activity or they are suspended.

19 Monitoring and Review

This policy is reviewed at least annually by the DSL. This policy will be updated as needed to ensure it is up-to-date with safeguarding issues as they emerge and evolve, including any lessons learnt.

Any changes made to this policy will be communicated to all members of staff. All members of staff are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme. The next scheduled review date for this policy is **March 2023**.

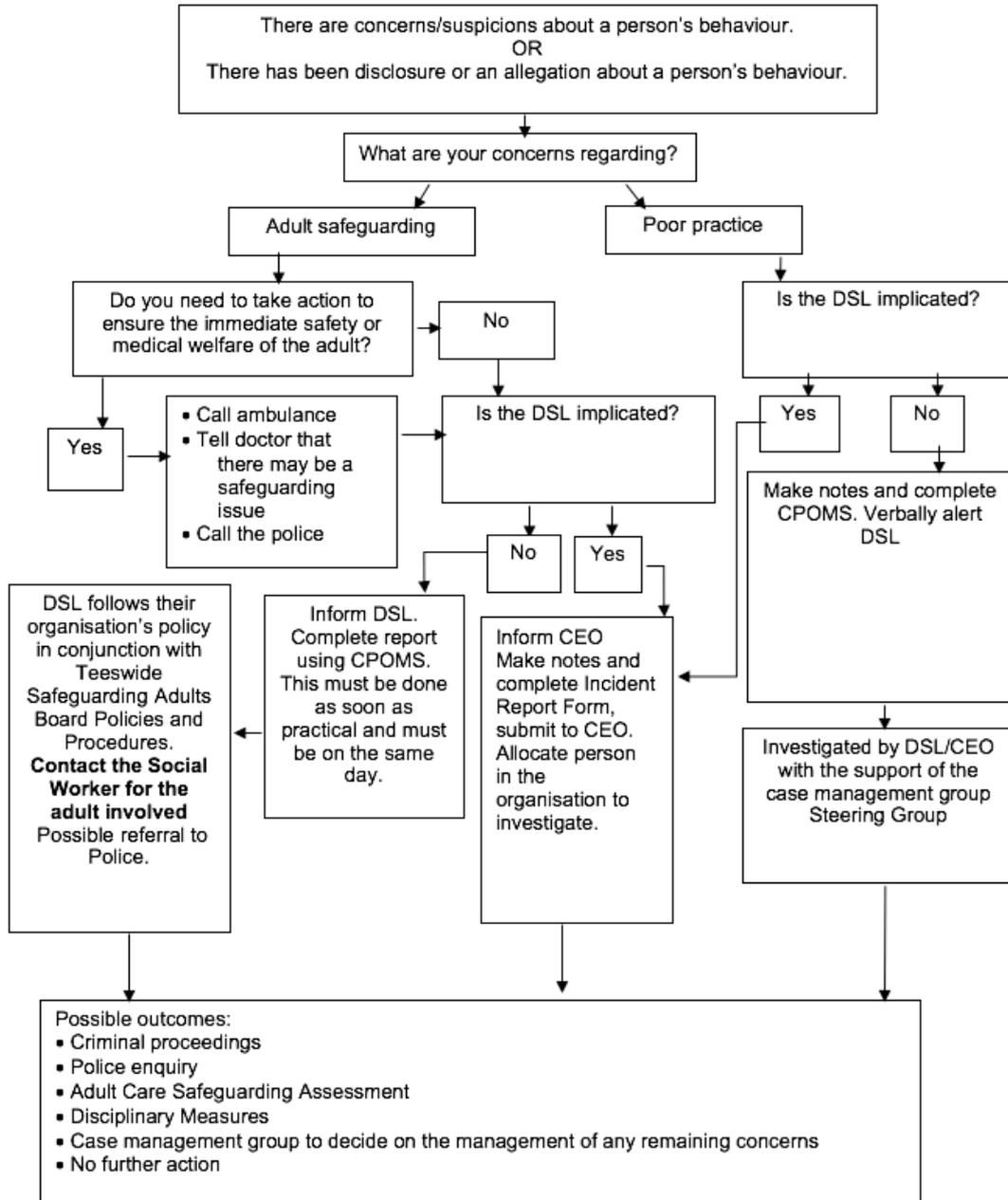
Abbreviations

Term	Meaning
CEO	Chief Executive Officer
CSCS	Children's Social Care Services
DBS	Disclosure and Barring Service
DDSL	Deputy Designated Safeguarding Lead
DSL	Designated Safeguarding Lead
HAT	Hartlepool Aspire Trust
KCSIE	Keeping Children Safe in Education
LA	Local Authority
MCA	Mental Capacity Act
SLT	Senior Leadership Team
TSAB	Teeswide Safeguarding and Adult Board

20 Appendix One – Safeguarding Reporting Process

Safeguarding Adults Flowchart

Dealing with Concerns, Suspicions or Disclosure



Remember to involve the adult at risk throughout the process wherever possible and gain consent for any referrals to social care if the person has capacity

21 Appendix Two – Definitions

Consent

For the purposes of this policy, “consent” is defined as having the freedom and capacity to choose to engage in sexual activity. Consent may be given to one sort of sexual activity but not another, and can be withdrawn at any time during sexual activity and each time activity occurs. A person only consents to a sexual activity if they agree by choice to that activity, and has the freedom and capacity to make that choice. Children under the age of 13 can never consent to any sexual activity. The age of consent is 16.

Sexual Violence

For the purposes of this policy, “sexual violence” refers to the following offences as defined under the Sexual Offences Act 2003:

- **Rape:** A person (A) commits an offence of rape if they intentionally penetrate the vagina, anus or mouth of another person (B) with their penis, B does not consent to the penetration, and A does not reasonably believe that B consents.
- **Assault by penetration:** A person (A) commits an offence if they intentionally penetrate the vagina or anus of another person (B) with a part of their body or anything else, the penetration is sexual, B does not consent to the penetration, and A does not reasonably believe that B consents.
- **Sexual assault:** A person (A) commits an offence of sexual assault if they intentionally touch another person (B), the touching is sexual, B does not consent to the touching, and A does not reasonably believe that B consents.
- **Causing someone to engage in sexual activity without consent:** A person (A) commits an offence if they intentionally cause another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.

Sexual Harassment

For the purposes of this policy, “sexual harassment” refers to unwanted conduct of a sexual nature that occurs online or offline, inside or outside of school. Sexual harassment is likely to violate a pupil’s dignity, make them feel intimidated, degraded or humiliated, and create a hostile, offensive, or sexualised environment. If left unchallenged, sexual harassment can create an atmosphere that normalises inappropriate behaviour and may lead to sexual violence. ***Sexual harassment can include, but is not limited to:***

- Sexual comments, such as sexual stories, lewd comments, sexual remarks about clothes and appearance, and sexualised name-calling.
- Sexual “jokes” and taunting.
- Physical behaviour, such as deliberately brushing against someone, interfering with someone’s clothes, and displaying images of a sexual nature.
- Online sexual harassment, which may be standalone or part of a wider pattern of sexual harassment and/or sexual violence. This includes:
 - The consensual and non-consensual sharing of nude and semi-nude images and/or videos.
 - Sharing unwanted explicit content.
 - Up skirting.

- Sexualised online bullying.
- Unwanted sexual comments and messages, including on social media.
- Sexual exploitation, coercion, and threats.

Up skirting

For the purposes of this policy, “up skirting” refers to the act, as identified the Voyeurism (Offences) Act 2019, of taking a picture or video under another person’s clothing, without their knowledge or consent, with the intention of viewing that person’s genitals or buttocks, with or without clothing, to obtain sexual gratification, or cause the victim humiliation, distress or alarm. Up skirting is a criminal offence. Anyone, including learners and staff, of any gender can be a victim of up skirting.

Consensual and non-consensual sharing of nude and seminude images and photos

For the purposes of this policy, the “consensual and non-consensual sharing of nude and semi-nude images and/or videos”, colloquially known as “sexting”, is defined as the sharing between pupils of sexually explicit content, including indecent imagery. For the purposes of this policy, “indecent imagery” is defined as an image which meets one or more of the following criteria:

- Nude or semi-nude sexual posing
- A child touching themselves in a sexual way
- Any sexual activity involving a child
- Someone hurting a child sexually
- Sexual activity that involves animals

Serious Violence

Through training, all staff will be made aware of the indicators which may signal a pupil is at risk from, or is involved with, serious violent crime. These indicators include, but are not limited to:

- Increased absence from college.
- A change in friendships.
- Relationships with older individuals or groups.
- A significant decline in academic performance.
- Signs of self-harm.
- A significant change in wellbeing.
- Signs of assault.
- Unexplained injuries.
- Unexplained gifts or new possessions.

Staff will be made aware of some of the most significant risk factors that could increase a learner’s vulnerability to becoming involved in serious violence. These risk factors include, but are not limited to:

- Being male.
- Having been frequently absent from college.
- Having experienced child maltreatment.
- Having been involved in offending, such as theft or robbery.

Staff members who suspect an adult may be vulnerable to, or involved in, serious violent crime will immediately report their concerns to the DSL.

Consensual and non-consensual sharing of indecent images and videos

The college will ensure that staff are aware to treat the consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting) as a safeguarding concern.

Staff will receive appropriate training to understand the difference between sexual behaviour that is considered normal and sexual behaviour that is inappropriate and harmful. Staff will receive appropriate training around how to deal with instances of sharing nudes and semi-nudes in the college community, including understanding motivations, assessing risks posed to learners depicted in the images, and how and when to report instances of this behaviour. Staff will be aware that creating, possessing, and distributing indecent imagery of children is a criminal offence, regardless of whether the imagery is created, possessed, and distributed by the individual depicted; however, staff will ensure that learners are not unnecessarily criminalised.

Where a member of staff becomes aware of an incidence of sharing nudes and/or semi-nudes, they will refer this to the DSL as soon as possible. Where a learner confides in a staff member about the circulation of indecent imagery, depicting them or someone else, the staff member will:

- Refrain from viewing, copy, printing, sharing, storing or saving the imagery.
- Tell the DSL immediately if they accidentally view an indecent image and seek support.
- Explain to the learner that the incident will need to be reported.
- Respond positively to the learner without blaming or shaming anyone involved, and reassuring them that they can receive support from the DSL.
- Report the incident to the DSL.

The DSL will attempt to understand what the image contains **without viewing it** and the context surrounding its creation and distribution – they will categorise the incident into one of two categories ‘aggravated’ or ‘experiential’. For there to be a good and clear reason to view imagery, the DSL would need to be satisfied that this action is:

- The only way to make a decision about whether to involve other agencies because it is not possible to establish the facts, e.g. the contents of the imagery, from the learner(s) involved.
- Necessary to report it to a website, app or suitable reporting agency to have the image taken down, or to support the learner/carer in making a report.
- Unavoidable because the learner has presented the image directly to a staff member or the image has been found on a college device or your college’s network.

Where it is necessary to view the imagery, e.g. if this is the only way to make a decision about whether to inform other agencies, the DSL should:

- Never copy, print, share, store or save them as this is illegal – if this has already happened, contact the local police for advice and to explain the circumstances.
- Discuss the decision with the head of college or a member of the SLT.

- Make sure viewing is undertaken by the DSL (or equivalent) or another member of the safeguarding team with delegated authority from the head of college or a member of the SLT.
- Make sure viewing takes place with another member of staff present in the room, ideally the head of college or a member of the SLT. This staff member does not need to view the images.
- Wherever possible, make sure viewing takes place on the college premises, ideally in the head of college's office or a member of the SLT's office.
- Make sure, wherever possible, that they are viewed by a staff member of the same sex as the learner in the images.
- Record how and why the decision was made to view the imagery in the safeguarding or child protection records, including who was present, why the nudes or semi-nudes were viewed and any subsequent actions.

Where the incident is categorised as 'aggravated', the situation will be managed in line with the college's Peer-on-peer Abuse Policy. Where the incident is categorised as 'experimental', the learners involved are supported to understand the implications of sharing indecent imagery and to move forward from the incident. Where there is reason to believe that indecent imagery being circulated will cause harm to a learner, the DSL will escalate the incident to adult safeguarding board. Where indecent imagery of a learner has been shared publicly, the DSL will work with the learner to report imagery to sites on which it has been shared and will reassure them of the support available.