



The Westminster  
Specialist College

2022/2023

# Safeguarding Adults Policy

Approved by Board of Governors on:	15/12/2022
Signed by Chair of Governors:	P Coldicott
Head of College:	O Flowers
Lead Personnel:	O Flowers
Date of Review:	15/12/2023

## Scope and Purpose

This policy is for use by all employees, governors and volunteers of The Westminster Specialist College. The College has a legal and professional obligation to safeguard its students. This policy is to provide:

- Definitions of safeguarding
- Types of abuse
- Direction and guidance on how to recognise and respond to safeguarding concerns

Abuse is a complex issue. Every effort will be made to ensure individuals' wishes are ascertained and considered before action is taken.

## This Policy takes into account:

1. Care Act 2014
2. The Sexual Offences Act 2003
3. The Human Rights Act 1998
4. Mental capacity Act 2005
5. Working Together to Safeguard Children (Department for Education 2018)
6. Safeguarding Vulnerable Groups Act 2006
7. Equality Act 2010

## Definition of Adult at risk

An Adult at risk is a person over 18 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.

## Safeguarding Personnel

The Designated Safeguard Lead for the College is:

*Gemma Webb – 0121 561 6884*

The Deputy Safeguard Lead for the College is:

*Oliver Flowers – 0121 561 6884*

The named Safeguarding Governor is:

*Joanne Turner – 0121 561 6884*

## **Definitions of Abuse**

Abuse is a violation of an individual's human and civil rights by any other person(s) which may result in significant harm. It may be a single act, repeated acts, an act of neglect, or a failure to act or multiple acts (Care Act, 2014). Types of abuse are variable and may be described as:

### Physical Abuse

This includes injuries which are not explained satisfactorily or where there is concern that the injury was inflicted intentionally. Pushing, shaking, pinching, slapping, punching and force-feeding could come into this category depending on the circumstances in which they occurred.

Physical abuse can also include situations where people are caused unreasonable physical discomfort through the withholding of care or the application of inappropriate techniques or treatment. Deprivation and forcing of food and water and involuntary isolation and confinement (e.g. inappropriate methods of restraint) can be physical abuse. Physical abuse can include forcing of prescribed or no prescribed medication against the person's will or covertly medicating without a Deprivation of Liberty Safeguards authorisation and best interest plan.

### Sexual Abuse

Sexual abuse is the involvement of a person in sexual activities or relationships that either they do not want, have not consented to or they cannot understand; this may include inappropriate looking/touching, sexual harassment, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure, sexual teasing, innuendo, sexual assault and rape.

### Psychological Abuse

Psychological abuse includes the use of verbal and physical threats, fears of bribes to:

- Negate an adult an individual's choices and independent wishes
- Cause isolation or over-dependence
- Prevent an individual from using services which would otherwise aid and extend them

Psychological abuse includes intimidation, humiliation, shouting, swearing, emotional blackmail, bullying and the denial of basic human and civil rights (including choice and opinion, privacy and dignity and allowing people to follow their own spiritual or cultural beliefs or choice about their own sexuality).

### Neglect or Acts of Omission

Neglect or Acts of Omission relates to ignoring or withholding physical or medical care needs, including the deprivation of help to perform activities of daily living and failure to intervene in behaviour, which is dangerous to the individual concerned or to others. This can also involve allowing a person judged to lack capacity under the Mental Capacity Act to make decisions to take unwarranted and unreasonable risks.

Neglect may be regarded not only as the commission or omission of an act, but also the threat of risk of such. Neglect may also occur as a result of unintentional actions by involved professionals or carers in not responding adequately to the needs of the vulnerable person. This can occur where the person responsible lacks the physical, financial and/or mental resources to provide sufficient care or lacks knowledge about their dependant's illness or disability and have not received guidance or support on how to care

### Discriminatory

A violation of human and civil rights by any other person or persons. This is abuse which is racist or sexist in nature or about a person's disability or sexuality.

Discrimination includes any form of harassment or bullying. There is some cross-over with other forms of abuse.

### Organisational

When the lifestyles of individuals are sacrificed in favour of the rituals, routines and/or restrictive practices of the home or care setting. Care may not be individualised, rules may be used inappropriately, and there may be a lack of stimulation.

### Self-Neglect

A wide range of behaviour such as neglecting to care for personal hygiene, health or surroundings. This could include hoarding, failure to complete personal care or attend to own health needs.

### Domestic Abuse

Incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is or has been an intimate partner or family member regardless of gender or sexuality.

### Modern Slavery

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. Including human trafficking, forced labour, domestic servitude and sexual exploitation.

### Financial Abuse

This involves an individual's resources being inappropriately used to the advantage of another person. It includes the withholding of money or inappropriate or unsanctioned use of a person's money or property, usually to the disadvantage of the adult to whom it belongs.

### **The Prevent Duty**

The Prevent Duty is a part of the UK's counter-terrorism strategy that aims to prevent terrorist attacks before they occur, by preventing individuals vulnerable to radicalisation from being drawn into performing terrorist acts.

What makes someone vulnerable to radicalisation?

Low self-esteem	Victimisation	Guilt	Loss
Lack of trust	Isolation	Family breakdown	Mental health
Sense of worth	Social exclusion	Fear	Lack of purpose
Unemployment	Political grievances	Peer pressure	Anger/desire for revenge

How our learners are vulnerable:

- Easily manipulated
- Trusting of others
- Led or befriended
- Unsupervised at times/independent use of the internet
- Limited understanding of consequences
- Learning difficulties

### Assessing the Risk

Engagement – a person’s susceptibilities, motivations and influences  
 Intent – is the individual ready to use violence to promote their views?  
 Capability – do they have the skills, resources and networks to commit acts of terrorism?

### Signs of Abuse

What to look for (these are examples and not an exhaustive list of physical signs):

- Bruising, including bruising in well protected areas, e.g. the inside of the thighs or upper arms or bruising at different stages of healing
- Burns, especially if in unusual places
- An injury similar in shape to an object
- Unexplained fractures
- Under or overuse of medication
- Unexplained weight loss
- Unkempt appearance, for example, unshaven, inadequate or dirty clothing

### Psychological/Behavioural signs

- Appearing depressed, frightened, withdrawn, agitated, anxious or aggressive
- Sudden withdrawal from previously liked activities
- Self-isolation (when it is unusual for the individual)
- An unexpected/unexplained change in behaviour
- Loss of appetite
- Sleeplessness or nightmares
- Increase in inappropriate or seductive behaviour
- Mimicking of explicit sexual activity
- Self-injury
- Aggression to one particular person

## Signs of Radicalisation

- Overly secretive about internet use
- Isolation/withdrawal
- 'Them and Us' mentality
- Strong viewpoints expressed aggressively, which may involve "scripted speech"
- Questioning faith/identity
- Altered appearance, including appearance of new tattoos
- Unusual behaviour/abnormal routines

## **Reporting Concerns**

It is the responsibility of staff including volunteers to report concerns; NOT to decide whether the concern is or is not abuse. The need to protect the adult at risk overrides any concerns about "false allegations"; even if you think a disclosure or allegation may be untrue you must still report it.

All concerns should be reported to the DSL using the Safeguard Software. This should be done before the young adult leaves site. If you are concerned that the young adult is in immediate danger, this should be reported to the DSL immediately or, in their absence, the Deputy DSL. This should take priority over anything else.

Abuse is usually discovered in three ways:

- The person discloses to someone that abuse has or may have occurred
- Someone sees the abuse occur
- Someone identifies signs and symptoms that may indicate abuse.

The first concern has to be the protection and safety of the individual, who is vulnerable and may need the staff to voice concern on their behalf.

Staff can use the whistleblowing policy if they feel unhappy with how the situation has been dealt with.

If staff suspect or come across a case of abuse, they should:

1. Ensure the victim is safe and removed from danger, IF A CRIME IS SUSPECTED the DSL MUST CALL 999 IMMEDIATELY.
2. Do not contaminate any evidence particularly if you suspect sexual abuse
3. i.e. do not change clothes.
4. Inform the relevant Designated Safeguarding Lead immediately and ask for guidance on how to proceed.
5. Unless an individual wishes it, never discuss the matter with them if others are present, as they may be too afraid or ashamed to talk.
6. Never discuss concerns with a possible abuser at any stage. This might put the individual at risk and could lead to further problems.
7. Always respect the needs and wishes of the individual who might be the victim of abuse.
8. Be sensitive to the religious and cultural background.
9. Never 'cover up' for a colleague who is suspected of being abusive.
10. Always report any incidents or suspicions to the appropriate Designated Safeguarding Lead. If the suspicion is related to a colleague, this should be reported directly to the Head of College.
11. Always check that action has been taken.

After you have raised a concern, the Designated Safeguarding Lead will decide how to respond which will usually involve making internal enquiries, but it may become necessary to carry out a full investigation which may be formal or informal depending on the nature of the concern raised. We will endeavour to complete investigations within a reasonable time. We will keep you informed of progress and let you know when the investigation is completed. We will not be able to inform you of any matters which would infringe any duty of confidentiality owed to others.

### **Informing parents/carers and other relatives**

We will work with parents/carers whenever possible and will inform parents of any investigations regarding their son or daughter unless:

- The parent or close family member is suspected of being involved with the abuse.
- The person is age 18 years or over and specifically asks that their parents are not informed – in these circumstances we will work actively with the person to gain their consent.
- There is reasonable grounds to suspect that talking to the parent may cause harm to himself or herself or the young adult.

### **Six Principles of Safeguarding Adults**

The following six principles from the Care Act (2014) informs the way in which staff should work with adults:

1. Empowerment – Learners are supported and encouraged to make their own decisions and give informed consent where appropriate.

“I am asked what I want as the outcomes of the safeguarding process and these directly inform what happens.”

2. 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.”

3. Proportionality – The least intrusive response appropriate to the risk presented.

“I am confident that staff will work in my best interests, as I see them, and they will only get involved as much as needed.”

4. Protection – There is 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.”

5. Partnership – Local solutions through services working with their communities.

“I know that staff treat any personal and sensitive information in confidence, only sharing what is needed. I am confident that professionals will work together with me to help me.”

6. Accountability – There is accountability and transparency in delivering safeguarding.

“I understand the role of everyone involved in my life, and so do they.”

## Training

All staff members will complete Level 1 safeguarding and child protection training. This will take place every September. Staff members who join mid-way through the year will complete online training as designated by the DSL. In addition, staff will complete a Safeguarding Adults course.

Safeguarding training will cover Level One content and also cover, at a minimum:

- The issues surrounding sexual violence and sexual harassment
- Contextual safeguarding
- How to keep previously LAC safe
- Criminal exploitation
- The Prevent Duty

The DSL and their deputies will undergo online safety training to help them recognise the additional risks that young people with SEND face online to ensure they have the capability to support these young people to stay safe online.

## Roles and Responsibilities

Role	Responsibility
Board of Governors	<ul style="list-style-type: none"><li>• Ensure there are appropriate policies and procedures in place;</li><li>• Ensure all Governors, employees and volunteers know about safeguarding;</li><li>• Know to spot and refer or report concerns;</li><li>• One member of the Board of Governors will be the link Governor for Safeguarding.</li></ul>

<p>Designated Safeguarding Lead</p>	<ul style="list-style-type: none"> <li>• The designated safeguarding lead and any deputies should liaise with their local Safeguarding Adults Team and work with other agencies in line with the Care Act (2014)</li> <li>• During term time, the designated safeguarding lead and/or a deputy should always be available (during college hours) for staff to discuss any safeguarding concerns;</li> <li>• The designated safeguarding lead undergo training to provide them with the knowledge and skills required to carry out the role. The training should be updated every two years;</li> <li>• In addition to their formal training as set out above, their knowledge and skills should be updated (for example via ebulletins, meeting other designated safeguarding leads, or taking time to read and digest safeguarding developments), at regular intervals, and at least annually, to keep up with any developments relevant to their role.</li> <li>• Refer cases of suspected abuse to the relevant Adult Safeguarding Team, or other relevant professional such as the individual's GP, as required;</li> <li>• Be knowledgeable about different referral processes for different Local Authorities.</li> <li>• Refer cases to Prevent where there is a radicalisation concern as required;</li> <li>• Refer cases where a crime may have been committed to the Police as required;</li> <li>• Act as a source of support, advice and expertise for all staff;</li> </ul>
<p>All staff, including volunteers</p>	<ul style="list-style-type: none"> <li>• Understand the safeguarding policies and procedures;</li> <li>• Report concerns to safeguarding leads;</li> <li>• Understand the process for recording concerns on Safeguard Software;</li> <li>• Understand the various types of abuse and the signs/indicators of these.</li> </ul>

**Supporting learners with mental health concerns**

- Under the Care Act (2014), mental health concerns do not meet the threshold for Multi-Agency Safeguarding Hub support, however in some cases mental health difficulties can cause concerns to the individual's welfare.
- Where there is a concern about a young adult's mental health, consent will be gained from them to refer for additional support, including their GP, or their local community learning disability team.
- Where consent for referrals has not been granted, the College will support the learner as much as possible to understand their options for additional support.

## Working with a Learner's Support Network

- Parents and carers play an important role in protecting their son/daughter from harm. The college will support parents/carers to prevent potential safeguarding concerns from arising – or, in the event of a concern being raised, supporting their son/daughter with the outcome of this and what might need to be put in place in the future to support the young person.
- The learner's views will be considered in deciding whether to inform the family.
- The College aims to help parents understand that the College, like all others, has a duty to safeguard and promote the welfare of all learners. The College may need to share information and work in partnership with other agencies when there are concerns about a learner's welfare.

## Creating a Safe Environment

There are many ways in which we aim to create a safe environment, including:

- Regularly reviewing individualised risk assessments, support and learning plans where appropriate
- Ensuring safeguarding is discussed regularly with senior management where appropriate
- DBS checks for all staff and students
- Internal policies and procedures including complaints, whistleblowing, health and safety
- Regular training including safeguarding and Prevent
- Providing accessible information
- Working and linking with other professionals
- Clear and effective channels of communication

## Suspension or Termination of a Placement

Creating a safe environment must also include considerations of when it is necessary to suspend or terminate a young adult's placement in relation to significant safeguarding concerns. The College reserves the right to suspend the placement of a learner who is being investigated by the police or social care. If a safeguarding allegation against a learner who is the suspected perpetrator is substantiated (for example, a learner was found to be involved in child grooming), a risk assessment must be conducted to assess the appropriateness of the learner returning to the College.

## Prevention in the Curriculum

- The College recognises the importance of developing learners' awareness of behaviour that is unacceptable towards them and others, and how they can help keep themselves and others safe.
- The College curriculum provides personal development opportunities for learners to learn about keeping safe and who to ask for help if their safety is threatened. As part of developing personal skills, learners are taught to, for example:
  - Safely explore their own and others' attitudes;
  - Recognise and manage risks in different situations and how to behave responsibly;
  - Judge what kind of physical contact is acceptable and unacceptable;
  - Recognise when pressure from others (including people they know) threatens their personal safety and well-being and develop effective ways of resisting pressure, including knowing when and where to get help;
  - Internet Safety.

## Related Legislation

### Mental Capacity Act 2005 (MCA)

This sets out very clearly how we assess for capacity and make best interest decisions. The main principles of the act are:

1. A person must be assumed to have capacity unless it is established that they lack capacity.
2. A person is not to be treated as unable to make a decision unless all practicable steps to help him/her have been taken without success.
3. A person is not to be treated as unable to make a decision merely because it is seen as an unwise decision.
4. Anything done for or on behalf of a person who lacks capacity must be in their 'best interests'.
5. Anything done for or on behalf of a person who lacks capacity must be the 'least restrictive' of their rights and freedoms.

An assumption about a person's capacity to make decisions cannot be based upon their condition, appearance, behaviour or age. Capacity assessments are decision and time specific – a person cannot be assumed to lack capacity in a general context, only in relation to a specific decision.

The Act also covers the criminal act of wilful neglect or ill-treatment of an adult lacking capacity. This is punishable by up to five years in prison.

The Deprivation of Liberty Safeguards (DoLS) are an amendment to the MCA. They state that it is unlawful to deprive someone of their liberty. In some cases, however, where a person lacks capacity to make decisions about their own care and needs to be deprived of their liberty in order to receive the care they need, a care home or hospital may apply for authorisation to do this.

### Sexual Offences Act 2003

This states it is illegal for a person providing care to engage in sexual activity with someone receiving care.

Those in 'relationships of care' (social workers, GPs, care and education support staff, NHS staff, home care workers, friends who provide care, assistance or services in connection with the person's mental disorder) should not engage in any sexual act with a person within their care.

This applies both to those who do not have capacity to consent, and those who 'may or may not be able to consent to sexual activities but who are vulnerable to inducements, threats or deceptions because of their mental disorder'.

### Human Rights Act 1998

This gives everyone the right to live free from abuse and violence and degrading treatment, under Article 2 – Right to life protected by law

Article 3 – Freedom from torture or inhuman or degrading treatment

Article 5 – Right to liberty and security of person

Article 14 – Freedom from discrimination, including age or disability

### Public Interests Disclosure Act 1998

This protects workers from detrimental treatment or victimisation from their employer if, in the public interest, they blow the whistle on wrongdoing.

Workers are protected from dismissal and a right not to be subjected to any 'detriment' from their employer if they make a 'protected' disclosure.

To qualify for protection, disclosures must be concerning something that has happened, is happening or is likely to happen in the future such as criminal offence, breach of a legal obligation, miscarriage of justice, danger to health or safety of any individual, damage to the environment.

### Care Act 2014

#### *Conditions for Care and Support Needs*

When determining eligibility for care and support needs under the Care Act (2014), a social worker will consider the following three conditions:

*Condition 1 - The adult's needs for care and support arise from or are related to a physical or mental impairment or illness and are not caused by other circumstantial factors.*

This includes if the adult has a condition as a result of physical, mental, sensory, learning or cognitive disabilities or illnesses, substance misuse or brain injury.

*Condition 2 - As a result of the adult's needs, the adult is unable to achieve two or more of the outcomes specified in the regulations and outlined in the section '[Eligibility outcomes for adults with care and support needs](#)'.*

*Condition 3 - As a consequence of being unable to achieve these outcomes, there is, or there is likely to be, a significant impact on the adult's wellbeing, determining whether:*

- the adult's needs impact on at least one of the areas of wellbeing in a significant way or
- the cumulative effect of the impact on a number of the areas of wellbeing means that they have a significant impact on the adult's overall wellbeing.

(Source: <https://www.scie.org.uk/care-act-2014/assessment-and-eligibility/eligibility/criteriaadults-care.asp>)

The College can request an assessment for a young adult if this is deemed appropriate.

## Appendix 1 – Useful contacts and links

Sandwell Adults Safeguarding:

[https://www.sandwell.gov.uk/info/200216/adults\\_and\\_older\\_people/2213/safeguarding\\_adults](https://www.sandwell.gov.uk/info/200216/adults_and_older_people/2213/safeguarding_adults)

Reporting adult abuse (Sandwell):

[https://www.sandwell.gov.uk/info/200216/adults\\_and\\_older\\_people/2209/report\\_adult\\_abuse](https://www.sandwell.gov.uk/info/200216/adults_and_older_people/2209/report_adult_abuse)

or 0121 569 2266

Mental capacity, the Deprivation of Liberty Safeguards and decision making:

[https://www.sandwell.gov.uk/info/200216/adults\\_and\\_older\\_people/2123/mental\\_capacity\\_the\\_deprivation\\_of\\_liberty\\_safeguards\\_and\\_decision\\_making](https://www.sandwell.gov.uk/info/200216/adults_and_older_people/2123/mental_capacity_the_deprivation_of_liberty_safeguards_and_decision_making)

## Appendix 2 - Visiting Speaker & Events Risk Assessment

Name of Speaker / Event Lead	
Speaker's Organisation	
Speaker Email address	
Date of Proposed Visit	
Name of Contact at TWSC	
Title of Talk / Topic	
Please outline below the information you wish to communicate in your talk to TWSC learners'.	
Has the speaker been refused to speak publicly or at any other educational establishment before? If yes, please provide details.	

Yes / No	
Are there any other details about the event that should be noted, i.e. if the event is approved, is there a likelihood of media interest?	
Yes / No	
Please sign below to confirm:	
<input type="checkbox"/> That the information you have provided is true and accurate <input type="checkbox"/> That you agree to the 'Guidelines for Visiting Speakers' overleaf <input type="checkbox"/> That you will bring valid photo ID (Driving License or Passport) with you on the day as proof of your ID.	
Signature:	Date:

### Guidelines for Visiting Speakers

The College values visits from speakers that enrich our learners' experience of College, providing them with information that helps them make decisions at different phases of their education, widening their understanding of world and global issues and providing motivational inspiration through the sharing of a speaker's experience. Our responsibility to our learners is to ensure that they can critically assess the information they receive as to its value to themselves, and that the information is aligned to the ethos and values of the College and British Values.

The 'Prevent Duty' statutory guidance requires colleges to have clear protocols for ensuring that any visiting speakers, whether invited by staff or learners, are suitable and appropriately supervised. As per the 'Prevent Duty' guidance, visiting speakers are required to agree to the following terms and conditions:

- The presentation must not incite hatred, violence, or call for the breaking of the law.
- The visiting speaker is not permitted to encourage, glorify or promote any acts of terrorism, including individuals, groups or organisations that support such acts.
- The visiting speaker must not spread hatred and intolerance of any minority group/s in the community.
- The visiting speaker must seek to avoid insulting other faiths or groups, within a framework of positive debate and challenge.
- Visiting speakers are not permitted to raise or gather funds for any external organisation of cause without express permission from the Head.
- College staff have the right and responsibility to interrupt and/or stop the presentation for any violation of this agreement.

## The Westminster Specialist College

*For College Staff Use Only*

Risk Level:	Low   Acceptable   Moderate   Extreme	
Decision by Organiser:	Signature of Organiser:	Date:
Approved   Not Approved		
Approved by Principal:		Date:

Risk Level	Rating Description
Low	The speaker or guest is a known expert in their field and is not known to be controversial, or to hold controversial views. His/her presence on college premises is not likely to be regarded as provocative in any way. The topic of the talk is not controversial nor is it likely to be regarded as offensive by anyone. Access to the event is limited to TWSC learners and staff only.
Acceptable	The speaker or guest may hold a strong position on their topic, but this would not be regarded as controversial. The speaker / guest may not have a publicly established reputation in their field. The talk is not likely to be regarded as controversial. It is very unlikely to attract adverse media attention or require security presence. Attendance may be high, but the event is open to TWSC learners and staff only.
Moderate	The speaker and/or topic may be uncontroversial, but the event is open to non-TWSC learners and staffs, including the general public and high numbers are likely to attend. The topic may be regarded by some as controversial and this could be a cause for concern even if attendance is likely to be low.
Extreme	The speaker/guest and or topic are highly controversial and will likely attract adverse media attention. The speaker/guest has been refused permission to attend an event at TWSC and other institutions before. High attendance is expected at the event. The speaker/guest and or topic may attract protest from other learners or outside organisations. Non-TWSC learners and staff are invited to attend. Security presence would be essential. <b>The event should not take place unless strict controls are put in place to protect individuals and property.</b>