

Safeguarding Children and Vulnerable Adults Policy

1 Definition

The safeguarding and protection of children, young people and vulnerable adults can be defined as protecting such groups from physical, emotional or sexual abuse or neglect. Agored Cymru recognises that all learners have a fundamental right to be protected from harm and should be given the opportunity to gain the maximum benefit possible from their educational opportunities

2 Audience

2.1 The intended audience for this document is:

- Agored Cymru staff and directors
- centre staff
- Agored Cymru appointed External Verifiers
- key stakeholders involved in the development of Agored Cymru provision
- Regulatory Authorities.

2.2 This policy applies to:

- qualifications approved under the QCF
- Access to HE Diploma approved by QAA
- units included in the QALL pillar of the CQFW.

3. Introduction

3.1 In relation to legislation, a child is considered to be anyone who has not yet reached their eighteenth birthday. Therefore, throughout this document “children” will be used to describe both “children and young people”. The fact that a child has become sixteen years of age, is living independently or is in further education, a member of the armed forces, in hospital, or within the criminal justice system does not change their status or their entitlement to services or protection.

3.2 In the Law Commission (1997) document “Who decides? Making decisions on behalf of mentally incapacitated adults”, the broad definition of a vulnerable adult is a person who is eighteen years of age or over, and who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of her/himself, or unable to protect her/himself against significant harm of exploitation”. The main categories of people covered by this definition include people who have a learning disability or difficulty; physical or sensory impairments; mental illness including dementia; people with substance misuse problems; and those who are old and frail. For the purposes of this

definition, “community services” will be taken to include all care services provided in any setting or context.

3.3 The interest of the child is paramount in all considerations of welfare and safeguarding.

Safeguarding children is everyone’s responsibility. Child protection is a part of safeguarding and promoting welfare. This refers to the activity which is undertaken to protect specific children who are suffering or are at risk of suffering significant harm as a result of abuse or neglect. Harm is defined as ill-treatment or the impairment of health or development, including, for example, impairment suffered from seeing or hearing the ill-treatment of another.

3.4 There are four categories of abuse: emotional, neglect, physical, and sexual in relation to a child or vulnerable adult.

- Emotional abuse is the persistent emotional ill-treatment of a child or vulnerable adult such as to cause severe and persistent adverse effects on the child’s emotional and behavioural development.
- Neglect is the persistent or severe neglect of a child or vulnerable adult, or the failure to protect a child or vulnerable adult from exposure to any kind of danger, including cold, starvation or extreme failure to carry out important aspects of care, resulting in the significant impairment on health or development, including non-organic failure to thrive.
- Physical abuse can and does manifest through the hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child or vulnerable adult. Physical harm may also be caused when a parent or carer fabricates or induces illness in a child or vulnerable adult whom they are looking after.
- Sexual abuse is the forcing or enticing a child or vulnerable adult to take part in sexual activities, whether or not the child or vulnerable adult is aware of what is happening, including physical contact including sexual acts; non-contact activities such as involving children in looking at pornography or sexual acts; or encouraging children or vulnerable adults to behave in sexually inappropriate ways.
- In addition to the above categories, vulnerable adults may also experience financial or material abuse which includes theft, fraud, pressure around wills, property or inheritance, misuse or misappropriation of benefits.

3.5 Safeguarding and promoting the welfare of children and vulnerable adults is defined as protecting such groups and people from maltreatment; preventing impairment of health or development; ensuring that children and vulnerable adults have equitable opportunities to be provided with consistent safe and effective care; and undertaking that role so as to enable children to have optimum life chances and to enter adulthood successfully and vulnerable adults to live their lives protected from abuse and have opportunities for reparation if appropriate.

4. The National Legislative Framework

4.1 In terms of safeguarding the protection of children, Agored Cymru policy is informed by the following legislation:

- The Children Act 1989
- The Education Act 1996
- The Housing Act 1996
- The Licensing Act 1996
- The Housing Act 2004
- The Children Act 2004
- Rehabilitation of Offenders Act 1974

4.2 Agored Cymru operates within the following Welsh Assembly Government guidance:

- Safeguarding and Protecting Children and Young People: A guide to good practice exemplification for awarding bodies (2006)
- Safeguarding Children: Working Together Under the Children Act 2004 (2006)

4.3 In terms of safeguarding and protecting vulnerable adults, Agored Cymru policy is informed by the following guidance and legislation within it:

- In Safe Hands: Implementing Adult Protection Procedures in Wales (2000)

4.4 Agored Cymru acknowledges that abuse can and does manifest from aspects of discrimination and prejudice. This policy should be read in conjunction with the Equality and Diversity policy.

5. Policy

5.1 Agored Cymru is committed to safeguarding and protecting children and vulnerable adults in all aspects of its activity.

5.2 Agored Cymru will ensure that:

- a trained child and vulnerable adult protection person is designated to take overall responsibility for dealing with all safeguarding matters. Agored Cymru will also designate an alternative who can act in the designated person's absence.
- child and vulnerable adult protection training is provided for all staff including external verifiers, quality reviewers and short-term staff and fixed-term contracts
- clear guidance is provided to all staff, including external verifiers and quality reviewers, about how to behave and respond to a range of child protection and vulnerable adult safeguarding issues.
- all staff that potentially will work with or have contact with children and vulnerable adults will undergo an enhanced criminal records bureau check every three years. Agored Cymru will only recruit and appoint staff that are deemed suitable to work with these groups, based on their declarations of unspent and exempt convictions, in accordance with the Rehabilitation of Offenders Act, 1974.

- recognised centres are made aware of Agored Cymru' Safeguarding Children and Vulnerable Adults for acting upon information that may indicate that a child or vulnerable adult's welfare may be at significant risk.
- records are kept of all safeguarding issues where they present including the outcome in relation to Agored Cymru' responsibility and accountability
- reports of any incidents of abuse are made to the Police Authority and Social Services. This will be undertaken through established reporting procedures.
- the policy will be reviewed following each significant incident and, in the absence of such an incident, every other year.

5.3 Recognised Agored Cymru centres working with children and/or vulnerable adults will be required to:

- develop a safeguarding policy in line with current legislation
- provide regular training to staff to ensure they are aware of the policy, the appropriate referral procedures and lines of responsibility in dealing with safeguarding issues.

6. Related topics

Equality and Diversity policy

<http://www.charity-commission.gov.uk/index.asp>

[Safeguarding Children: Working Together Under the Children Act 2004 \(2006\)](#)

[Welsh Assembly Government | In Safe Hands: Implementing Adult Protection Procedures in Wales, July 2000](#)

[In Safe Hands: Implementing Adult Protection Procedures in Wales \(2000\)](#)

7. Policy responsibility and review

Policy author: Dafydd Baker
Approved by: QSRC (11/06/09)

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Reviewed by: